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COLLEGE SERIES OF LATIN AUTHORS

EDITED BY

CLEMENT LAWRENCE SMITH AND TRACY PECK

THE *BRUTUS* OF CICERO

KELLOGG

COLLEGE SERIES OF LATIN AUTHORS

M. TULLII CICERONIS

BRUTUS

DE CLARIS ORATORIBUS

EDITED, WITH AN INTRODUCTION AND NOTES,

BY

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PREFACE.

'Biography is history teaching by examples.' In Cicero's account of Roman eloquence the rules of oratory are seen applied and exemplified. Living persons stand before us in place of abstract principles. This piece of biography is a special literary history, not fully brought out in the general surveys of Roman literature. A competent critic speaks of the work as invaluable, a mine of information; one whose delightful pages give more stimulus to an aspiring orator than all the formal treatises of a later century.[1]

This edition of the *Brutus* is intended for early college reading. The introduction touches points of interest for those to whom Cicero is no stranger, and includes a tolerably full *conspectus*. The notes are illustrative of the text in its historical relations and its diction, rather than in the commonplaces of grammar. English renderings are sparingly suggested, the chief assistance being found in parallel passages. These passages are largely from Cicero's other rhetorical works, and from Quintilian. For the convenience of instructors and interested students, references are added to passages not quoted. Aid has been sought from a variety of sources; but especial credit is due to the editions of Ellendt, O. Jahn, and Piderit.

[1] Cruttwell, Hist. Rom. Lit., pp. 180, 407.

The text followed is that of the Baiter & Kayser edition of Cicero's works. It has been carefully compared with the recensions of Orelli, Ellendt, Stangl, and others, whose readings are not seldom preferred. A table of the chief variations from the B. & K. text is appended. The orthography of B. & K. is followed, with a few corrections from Brambach. The textual notes, placed by themselves, discuss certain disputed readings.

The Index of Names, aside from its numerical references, indicates usually the approximate chronology, and gathers up, in quoted or unquoted passages, a few personal items or critical judgments. There is also a General Index of certain words, constructions, topics, etc.

The following abbreviations may be noted: —

B. & K.; Baiter & Kayser's Cicero (even when the work is distinctively Kayser's).

Ell.; Ellendt's *Brutus*.

Jahn; O. Jahn's *Brutus*, revised by Eberhard.

Pid.; Piderit's *Brutus*.

R.; Roby's Latin Grammar.

M.; Madvig's Latin Grammar (Thacher's revision).

A. & G.; Allen & Greenough's Latin Grammar.

G.; Gildersleeve's Latin Grammar.

H.; the new Harkness Latin Grammar.

Doed. *Syn.*; Doederlein's Latin Synonyms.

Jahrb.; Neue Jahrbücher für Philologie.

Rh. Mus.; Rheinisches Museum.

Cicero (106 B.C.–43 B.C.)

CONTENTS.

Omnis hic sermo noster non solum enumerationem oratorum, verum etiam praecepta quaedam desiderat: 93. 319.

INTRODUCTION.

I. The Place of the *Brutus*.

Cicero's *Brutus* holds a definite and unique place among his rhetorical writings. These writings are, *de Inventione*, *de Oratore*, *Brutus*, *Orator*, *de Optimo Genere Oratorum*, *de Partitione Oratoria*, *Topica*.

Of these treatises *de Inventione* was a youthful production written, as Weidner thinks, B.C. 84–83. Cicero himself depreciated it at a later day (*de Or.* I. 2. 5) as *quae pueris aut adulescentulis nobis ex commentariolis nostris incohata ac rudia exciderunt*. The last three treatises in the above list are of minor importance; *de Optimo Genere Oratorum* being merely a preface to Cicero's lost translation of the two great speeches in the case of Ctesiphon; *de Partitione Oratoria*, a catechetical outline drawn up for the young Marcus Cicero; *Topica*, a summary (written on ship-board, from recollection) based on the *Topics* of Aristotle. The three remaining works form a series, giving us a complete account of the theory and practice of oratory among the Romans to the middle of the last century B.C. *De Oratore*, completed B.C. 55, is the earliest, the most elaborate, and the most important of these treatises. The *Brutus* comes next in order, but after an interval of more than eight years. Herein the principles laid down in the former work find a historical and practical application. The *Orator*, written the following year, furnishes an ideal standard. (Cf. Harnecker, Jahrb. 125.) Thus we have, first, an oratorical system; secondly, a story of oratorical attainments; and thirdly, an ideal of oratorical perfection.

II. The Motives to its Composition.

1. There were some general motives which apply to this whole series; which apply in part to the other products of this very prolific pen.

These treatises furnished occupation for a restless and disappointed man. Cicero's activity and energy were as remarkable as Cæsar's; but, unlike Cæsar, he found his political career cut short. He was on the losing side in the great struggle which culminated at Pharsalus. Cicero could ill bear misfortune, as is shown by his plaints when he was in exile. But he had an unfailing resource and refuge in literary activity. When the world became intolerable, he did not sink into idle despondency; he still had courage to shut himself away from his sorrows, and occupy his mind with theoretical politics, with philosophy, with ethics and religion, with the theory and history of the great art in which he was acknowledged master.

Cicero was fond of communicating his thoughts to others, of sharing with them his intellectual treasures. Hence his attempts to popularize at Rome the Greek philosophy. As an orator he was ready to advise and stimulate his juniors. It was an old Roman fashion, not then extinct, to attach one's self to an older and wiser man for instruction: cf. Tacitus, *Dial. de Or.* 34, who in the next chapter complains of the decay of this good old custom. Cicero himself had gone to Scævola for instruction in law. In his turn he 'coached' younger orators (cf. Quint. XII. 11. 6, *sic ad se Caelium deductum a patre Cicero profitetur, sic Pansam, Hirtium, Dolabellam in morem praeceptoris exercuit cotidie dicens audiensque:* 6. 23. n.). This was a gratuitous service, done from kindness and a love of communicating. The relation held by the young men to the older man was a sort of noble clientship. In his writings Cicero took in a larger clientage. He makes it evident that he was anxious to benefit others (cf. *de Div.* II. 1. 1, *quaerenti mihi multumque et diu cogitanti quanam re possem prodesse quam plurimis*).

Cicero's political hopes were not quite abandoned. Some younger men, thoroughly equipped for political life, might yet bring back the glory of the republic. For public life oratory was a most important preparation. It was this which had given him his own civic honors. He would keep alive this power of speech, for the sake of the State he loved so well. He would, if possible, train up a generation of noble orators, to be a bulwark against the encroachments of personal power.

2. There were special motives to the composition of the *Brutus*, such as the following: (1) to trace the development of Cicero's favorite art; (2) to show the place of oratory in public life; (3) and the equipment needed by the orator (the shortcomings of the men he named would be an admonition); (4) to do justice to the earlier Roman orators, who were now undervalued; (5) to stimulate by example; (6) to furnish incentives to patriotic feeling (Greek orators must be briefly noticed, but the list would be chiefly Roman, — long enough and illustrious enough to stir the pulses of all good Romans); (7) to gain a vantage-ground for the handling of certain practical questions, *e.g.* the difference between the Asian and the Attic styles of oratory; (8) to answer criticisms directed against Cicero himself. Among his critics was the very man he addressed (see Quint. XII. 1. 22, and Tac. *Dial.* 18; and cf. Quint. XII. 10. 12). Of these criticisms he was quite aware (cf. *Or.* 13. 40; 71. 237). To the public at large he would also make answer. He had an eager desire to stand well with his countrymen. He believed in his style of oratory; he wished others to believe in it also.

The immediate impelling motive to this treatise was furnished by a historical work of Atticus, the *Liber Annalis;* which in its turn was said by its author to be due to Cicero's *de Republica*, written B.C. 54 (cf. *de Div.* II. 1. 3). Varro's historical writings (cf. 15. 60; 56. 205) had prepared Cicero for this new impulse from Atticus.

III. The Date and the Circumstances.

The composition of the *Brutus* is assigned to the early months of the year 46 B.C. Cæsar had brought the Alexandrine war to a close, defeated Pharnaces in Pontus, returned to Rome and secured a third dictatorship, and departed for Africa to crush Scipio and Cato. All this was in the year 47 B.C. The decisive battle in Africa, at Thapsus, was fought April 6th, B.C. 46, and the two Pompeian leaders speedily took their own lives. These events had not yet been reported at Rome: see, *e.g.*, 31. 118 and 58. 212, where Cato and Scipio are spoken of as still living. In various places Cicero shows a remaining gleam of hope for the success of the Pompeians, and ventures on mournful reflections and open regrets, and even personal allusions, as he would hardly have done later in that year. For the illusive rumors that kept his hopes alive, cf., *e.g.*, *ad Att.* XII. 2. 1, written in April. For invidious allusions to Cæsar himself, see 6. 24 and 81. 281, and what is supposed to have been a hint to Brutus, 14. 53, to emulate the Brutus of old.

IV. The Form and the Title.

1. Plato's dialogues might well tempt Cicero to cast his treatises in a like mould. Most of his philosophical and rhetorical works are nominally dialogues. But he found it hard to keep them from running into monologues. And so the Aristotelian dialogues furnished Cicero a more acceptable model. In describing his treatise *de Oratore* he says, (*ad Att.* XIII. 19. 4) *quae autem his temporibus scripsi,* Ἀριστοτέλειον *morem habent, in quo sermo ita inducitur ceterorum, ut penes ipsum sit principatus:* (cf. Watson's *Select Letters of Cicero,* p. 214). Theophrastus, whom (*de Div.* II. 1. 4) he classes with Aristotle as a model, had imitated this style of dialogue. In the *Brutus* there is more interchange of thought than is usual in Cicero's dialogues, with a corresponding gain in vivacity.

The dialogue form gives opportunity for manifold views of the subject, for bringing out salient points, for introducing personal experience, for strokes of criticism, for digressions and apologies. Cicero is aware, for example, that he injures the artistic effect of this treatise by calling up so many names: Atticus complains of this, and Cicero makes his excuse.

2. The title is taken from one of the interlocutors, the one, as it happens, whose part is least prominent. Atticus was older than Brutus, and has a larger share in the dialogue. But in so far as the treatise is didactic, it was specially intended for this younger man. Notwithstanding their different positions and divergent views, Brutus was the one rising orator on whom Cicero had fixed his hopes: cf. *ad Att.* XIV. 20. 3, *qui rem publicam putem pendere e Bruto*. There was also a certain intellectual sympathy between them, as is evinced by the dedication to Brutus of so many of Cicero's philosophical writings,—*de Finibus*, *Tusculan Disputations*, *de Natura Deorum*, and *Paradoxa*. The *Orator* was also addressed to Brutus.

The author refers to his treatise by this title; *Or.* 7. 23, *in illo sermone nostro, qui est expositus in Bruto:* cf. *de Div.* II. 1. 4.

De Claris Oratoribus is a sub-title, like *de Senectute* for *Cato Maior*, and *de Amicitia* for *Laelius*. Such double titles are rare with Cicero, but common enough with preceding writers. Plato's works were often quoted in this way (*e.g. Menexenus sive* ἐπιτάφιος); though the sub-titles seem not to have been Plato's, but to have been appended by the Alexandrian critics. Varro's *Logistorici* furnished a nearer precedent, with such double titles as *Marius de Fortuna*, *Messalla de Valetudine*, *Tubero de Origine Humana*. We need not hesitate to ascribe the sub-title of the *Brutus* to the author

V. The Setting of the Dialogue.

The scene was laid at Rome; not, like that of *de Oratore*, at a country villa (see 3. 10; 5. 20; 87. 300). In most of

Cicero's dialogues the *dramatis personae* are placed far from the noisy city: in this one there is the relief of an urban lawn (see 6. 24).

The conversation is represented as near the time of writing; not a whole generation earlier, as in *de Oratore* (B.C. 91 and 55), nor a whole century, as in *de Senectute* (B.C. 150 and 44).

A speech of Brutus for Deiotarus (see 5. 21, and cf. Tac. *Dial.* 21) had occasioned a conversation concerning orators between Cicero and Atticus. Atticus had reported the conversation to Brutus, and both friends now besought Cicero to resume it. He complies with their request, and enters on a complete account of Roman orators down to his own time, but declines to discuss the merits of those who were living, himself included. The questions of the interlocutors, however, lead him to waive this rule in a few cases.

VI. The Interlocutors.

1. Titus Pomponius Atticus was now 63 years of age, having been born B.C. 109. His father was T. Pomponius, a Roman knight; his mother Cæcilia, sister of Q. Cæcilius. He received a liberal education, and was distinguished for his scholarship. Being still young when his father died, he was adopted by his rich uncle. His adoptive name, by which Cicero addresses him on his inheriting the uncle's property, was Q. Cæcilius Q. F. Pomponianus Atticus (*ad Att.* III. 20). He refused to be drawn into the political entanglements of his times, and devoted his life to study and literary leisure. For more than twenty years he resided at Athens; and he was of so much service to its citizens that there was general mourning at his departure (B.C. 65). His surname, Atticus, was presumably acquired by this long residence. His ability and courtesy gained him the esteem of the foremost men of the various parties at Rome. Sulla, who met him at Athens, overlooked his Marian affinities, and made him valuable gifts. In the succes-

sive periods of their prominence, he was the friend of Cæsar and Pompey, of Brutus and Cassius, of Antony and Octavian. But his most intimate friend was Cicero; a friendship attested by the very frank letters written to him by Cicero, so many of which have come down to us. They cover a period of nearly twenty-five years. The two men had been fellow-students in youth (Nep. *Att.* 1). In a letter to Memmius (*ad Fam.* XIII. 1. 5) Cicero says, *Pomponium Atticum sic amo ut alterum fratrem; nihil est illo mihi nec carius nec iucundius . . . est enim omni liberali doctrina politissimus.* Cicero could appeal to him for critical judgments: cf. *ad Att.* I. 14. 3, *meis orationibus, quarum tu Aristarchus es.* They were not alike in the tenor of their lives; and because Atticus was in retirement, he was fitted to soothe Cicero's political disquietude (see 3. 11; 42. 157). He was competent to enliven this dialogue by interposing objections. As an antiquarian he was second only to Varro, and could settle historical points. When he made no criticism, the chief interlocutor gained the authority of his silent assent. As he was not a partisan, he could speak the praises of Cæsar. (Cf. Pid. *Einl.* p. 28.)

Atticus was also an intimate friend of Brutus (see Nep. *Att.* 8–9, 16). He was 24 years the senior, but outlived Brutus, and died B.C. 32, of voluntary starvation.

2. MARCUS JUNIUS BRUTUS is the younger man of this dialogue, corresponding to Sulpicius and Cotta in *de Oratore.* As one who is still a learner, he calls out the master's fuller opinions, and leads him to open some pages of his experience. Brutus was of distinguished plebeian extraction: his father, of the same name, was tribune B.C. 83, and is spoken of (62. 222) as a good lawyer and a capable statesman. Brutus was born B.C. 85. Having lost his father at the age of eight, he was adopted by his uncle, Q. Servilius Cæpio, and for this reason, he is sometimes called Q. Cæpio Brutus. His education was conducted by his mother Servilia, assisted by her brother Cæpio and her half-brother Cato Uticensis. With the latter

he went to Cyprus B.C. 58, the year of Cicero's banishment. Returning thence he remained aloof from politics, and in B.C. 53 accompanied his father-in-law, App. Claudius, to Cilicia. Cicero succeeded Claudius in Cilicia, and was annoyed at finding himself called on to enforce certain usurious demands for money loaned by Brutus to the inhabitants of Salamis, in Cyprus (cf. note 4. 17). In the great struggle which came on, Brutus, contrary to expectation, sided with Pompey. He was spared in battle at Cæsar's instance; he begged and received the conqueror's pardon, and turned himself to literary pursuits. In 46 B.C. he was sent by Cæsar to Cisalpine Gaul as governor; but at the time of this writing he was still in Rome. In his province he had a successful and popular administration. The year following he offended Cicero by his treatment of the Catilinarian conspiracy in his published eulogy on Cato (cf. *ad. Att.* XII. 21). In 44 B.C. he helped to slay the dictator; and in 42 B.C. he took his own life after the defeat at Philippi.

Brutus was not a dear and fast friend of Cicero. His nature was cold and selfish, while yet he was fanciful, superstitious, and unbalanced. In the matter of the Cilician demands Cicero makes free complaint to their common friend Atticus (*ad Att.* VI. 1; VI. 3. 7). He might well say (*ad Att.* VI. 1. 6) *accipiam equidem dolorem mihi illum irasci, sed multo maiorem, non esse eum talem, qualem putassem.* But there was much in Brutus to which Cicero, at this stage of their friendship, would be attracted. Brutus was a lover of philosophy, and wrote some philosophical treatises (cf. *Acad.* I. 3. 12; *Brut.* 31. 120). His diligence in study was remarkable (cf. Quint. X. 7. 27). He had unusual force of character: cf. *ad Att.* XIV. 1. 2, where Cæsar is quoted as saying of Brutus, *quicquid vult, valde vult.* He made excellent speeches, whose chief lack was that of an oratorical glow: *lentitudo* and *tepor* are terms applied to them by Tacitus (*Dial.* 21). On the whole, the two men were in close intellectual sympathy; and Cicero found more in

Brutus than in any other of the younger men on which to build his hopes for a return of the good old *régime*. He wrote from Cilicia to Atticus, (*ad Att.* V. 20. 6) *Brutum . . . quem non minus amo quam tu, paene dixi, quam te:* cf. *ad Fam.* III. 11. 3, where Cicero couples Brutus with Pompey, and says of him, *principis iam pridem iuventutis, celeriter, ut spero, civitatis* (*ad Fam.* XV. 14. 6; *Or.* 10. 34). But the days were dark indeed when Cicero's best reliance was upon this uncertain follower, who criticised the great master, and threatened to desiccate Roman oratory under the pretext of a return to pure Atticism (cf. below, VII. 4). To counteract the backward movement, to reclaim this wavering disciple, was a task that might have seemed gloomy enough to one who had not the buoyancy and enthusiasm of Cicero.

3. CICERO himself was now 60 years of age, but still in his intellectual prime. The years 46 and 45 B.C. were among the most fruitful in his literary career. The literary art of the *Brutus* shows no decadence. There are a few traces of carelessness in style; but who that has read Cicero's letters would wish him to wear a strait-jacket? The balancing of parts is faultless, the transitions and digressions are admirably managed.

It would have been false modesty on Cicero's part if he had assigned the leading rôle to any other speaker than himself. He wished to embrace in his list all the illustrious orators who had passed away, including Hortensius. No Crassus now lived (as in *de Oratore*) to represent the views of Cicero. Not even Atticus could pass in just review the long array of oratorical names. For such a review Cicero's career had given the right preparation. He was himself an orator, consciously first among the Roman orators. He had thoroughly studied the extant speeches of the men he calls up from the past (cf., *e.g.*, 17. 65; 87. 300).

Cicero's judgments in this treatise are worthy of acceptance. We need not be on our guard against a personal bias. It has become a fashion with some modern critics to disparage the

great Roman orator. Certain failings in his conduct are only too apparent. He was free to speak his own praises; but if we scan the acts of other distinguished Romans, *e.g.* Cato, and Scipio, and Pompey, we shall agree with Professor Greenough, that 'modesty, real or assumed, is a late growth of civilization.' Cicero was irresolute in some important crises. But he showed undaunted courage in his speech for Roscius, in his suppression of the Catilinarian conspiracy, in his fruitless opposition to Antony. The title of *pater patriae* befitted him as a true Roman and patriot. In adversity he made pitiful complaints; but these were private outbursts of feeling, not to be judged as public or deliberate utterances. Other men could lament, and none save sympathizing friends would know it: Cicero's marvellous charm of style has robbed his life of its just privacy. He was a man of unimpeached integrity and purity of character. His ideal of an orator demanded high aims and eminent virtues.

Cicero's range of studies and acquisitions gave him broad and just views. He was omnivorous in his studies; not in a superficial or hap-hazard way, but as an earnest student, and always with special reference to his function as an orator. Beyond cavil he was a finished literary artist. No style ever wrought so great a change as that of Cicero. Before him Latin prose was more or less awkward and cumbrous; in him it sprang at once to perfection. A style which holds its own, century after century, implies a cultivated power of thought that betokens the best qualifications for criticism. As a sympathetic advocate, he might exaggerate the merits of a client's case; but in such criticism as the *Brutus* contains there was little temptation to exaggerate. He was one of the orators' own craft, glorying in their art, and understanding their real strength.

VII. Tendencies in Roman Oratory.

1. For a long time Roman oratory was natural and unstudied. Cato was rugged and pointed, with a strong, piercing

common sense and a biting wit. He wrote a treatise on rhetoric for his son Marcus, from which have been preserved the definition of an orator (approved by Quintilian, XII. 1. 1), *vir bonus dicendi peritus*, and the maxim, *rem tene, verba sequentur*. This maxim is good for later times and higher oratorical training; but with Cato it meant a style of speaking that depended on natural ability rather than on rules of art.

2. The Grecizing influence was already coming in. Cato resisted it long, but in his old age even he learned Greek. In the generation succeeding, the new culture grew apace, and LAELIUS and SCIPIO, born nearly half a century later than Cato, became its leading representatives. Greek *rhetores* were now teachers in oratory. Not all the prominent orators yielded to the new influence. GALBA clung to the older style, and used it with an impetuous force resembling Cato's: see the story of his success (cap. 22) where Lælius failed. But that account shows that Galba made thorough preparation for his speeches (cf. *Tusc.* I. 3. 5). The GRACCHI, nearly a generation later, received the full benefit of the Greek erudition. The *levitas Graecorum* (25. 96) was first fully attained at Rome by LEPIDUS, who became a model for the elder Gracchus (cf. Ell. *Brev. Eloqu. Rom. Hist.* p. 35). CATULUS was 'deeply versed in Greek literature'; and his is a transition name to ANTONIUS and CRASSUS. Of these two great orators, the former owed to Greek culture more than he was ready to own: Quintilian (II. 17. 6) calls him *dissimulator artis*. Crassus believed in the widest culture and the utmost painstaking. But as yet there was at Rome no distinctive school of oratory. There was a free play of individual tendencies. Crassus and Antonius had different styles, but neither of them was an imitator.

3. Eloquence took still higher ground in the time of Hortensius and Cicero. The Greek influence had kept pace with the general culture. The Senate could now listen without an interpreter to Greek-speaking ambassadors (to Molo first,

B.C. 81). Richer forms of oratory were developed under the touch of HORTENSIUS (cf. 88. 302). Latin masters of eloquence had begun to win attention: the first of these was Plotius Gallus, who began to teach about the time of the death of Crassus. These Latin *rhetores*, like the Greeks of an earlier time, were held at first in disfavor (cf. Merivale's Abeken, p. 5: Ell. *Brev. Hist.* pp. 57, 97). Gnipho, a Roman with a Greek education, instructed both Cæsar and Cicero: but to the end of the republic, oratory was deemed so much a foreign product that Romans tenacious of ancient ways thought it, as Ellendt says, base to teach what it was honorable to learn.

The larger development of oratory in this age was due, not only to a wider range of knowledge and thought, but also to the character of the times. They were times of faction, which often broke into violence. Sulla's shadow, before passing away, fell upon Cicero as well as upon Cæsar. Cicero's consulship encountered the Catilinarian conspiracy. His banishment was the work of the brutal Clodius. His Philippics were, like those of Demosthenes, the last but magnificent flame of the state's expiring liberty. Such an age called forth all the powers of men who would control and guide the turbulent people.

In this advanced period of Roman oratory we find differing tendencies in marked contrast. Three men may be taken as illustrative of the period; CICERO, his elder contemporary HORTENSIUS, and the man of universal genius, CAESAR. They had three different styles of oratory. Of Cæsar's orations none are extant; but we may know from his own writings, as well as from Roman criticism, something of their character: they must have been at once simple and elegant in language, concise, closely and clearly logical, weighty, and effective from a certain personal authority. They might be compared with those of the simpler and severer Attic orators.

Hortensius was at an opposite extreme from the simplicity of Cæsar. From B.C. 95 (see Jebb, *Att. Or.* II. 447) he was the Latin representative of Asianism. Asianism is, of course,

a geographical antithesis to Atticism. But degeneracy from the old Attic standard was as wide-spread as the Hellenic race. It made more rapid progress away from Athens; in Alexandria, in Sicily, in Asia Minor. Cæcilius wrote against Phrygians much as Matthew Arnold writes against Philistines (cf. Cic. *Or.* 8. 25). In the *Brutus* (13. 51) Cicero seems to set the Rhodians apart in an intermediate school between the Asian and the Attic, yet pronouncing them *Atticorum similiores* (cf. Quint. XII. 10. 18–9). Cicero had personal reasons for complimenting the Rhodian school, as his favorite master Molo taught there (cf. 91. 316; and Sandys's *Orator*, Introd. p. xxxvii). But critics like Jebb (*Att. Or.* II. 445–6) disallow the *tertium quid*, counting the Rhodian orators merely as eclectic.

Cicero is certainly not to be classed with Hortensius. It is often said that he was Asian at first; but that as his judgment matured he threw off most of the Asian characteristics, and became more Attic, like the Rhodians (cf. Jahn, *Einl.* p. 8). But juvenile 'superfluities' and 'redundancies' (91. 316) do not mean Asian corruption of style. We can easily apply Professor Jebb's test. He says (*Att. Or.* II. 439): 'Asianism versus Atticism means the New versus the Old Oratory. The essential difference between them is this: the Old Oratory was an art, and was therefore based upon a theory. The New Oratory was a knack, and was founded upon practice. Atticism was technical and, in its highest phase, scientific. Asianism was empirical.' Was Cicero's early speaking empirical, or did it rely on a theory? In his youth (cf. Introd. I.) he composed an elaborate treatise on rhetoric: by the best of tests he was not then an Asian. The juvenile exuberance to which he confesses was an excess in degree, not a difference in kind: cf. *de Or.* II. 21. 88, *volo esse in adulescente, unde aliquid amputem.* And if Cicero was not Asian in his youth, *a fortiori* he was not in later years, when his maturer judgment chastened his style, and when he devoted so much of his strength to setting forth the principles of true and effective oratory and unfolding the

theory of his art. He knew and described Asianism in oratory; and he knew that he was not an Asian.

We must not be misled by the colder character of our English and American oratory. There is not tropical fervor in Cicero, nor oriental display; but there is the glow and the gleam of sunny Italy. Yet what adherence to logic! What careful processes of reasoning! What constant appeals to the intellect, even more than to the feelings!

Cicero was an Atticist: not of the severer type, like Cæsar; not a counterpart of Demosthenes. Atticism was not bounded by hard and fast lines (cf. 82. 285). From the very outset there were varying phases in Attic oratory (cf. Jebb, II. 419 sq.). Demosthenes (ibid. 398) had 'an eclectic and recombining genius,' reproducing now the style of Thucydides, now that of Lysias, and again that of Isocrates: (cf. Volkmann, *Rhet. der Gr. u. Röm.* p. 459.) In like manner Cicero furnishes examples of three styles (ibid. 456); but always with an individuality of his own. Quintilian (X. 1. 106) says of Demosthenes and Cicero: *quorum ego virtutes plerasque arbitror similes*. Cf. Kayser, *Praef.* p. x: *Demosthenes Romanam gravitatem spirat, Cicero Graecam suavitatem redolet;* and Quint. X. 1. 108–9.

As a public speaker Cicero turned the tide from the Asianism of Hortensius (cf. Jahn, *Einl.* p. 7). Jebb affirms (*Att. Or.* II. 450) that Cicero was the representative at Rome of the Atticist revival.

4. Eloquence began to fall away from the Ciceronian standard even in Cicero's time. There was criticism of the great orator and a reaction from his influence. BRUTUS has been noticed as one of these critics (cf. *ad Att.* XIV. 20. 3). CALVUS was another, styled by Fr. Müller the chief pseudo-Atticist (cf. Jahn, *Einl.* p. 10; Sen. *Controv.* 7. 4; Tac. *Dial.* 18; Quint. XII. 1. 22; X. 1. 115). We may add the ASINII, father and son (cf. Quint. XII. 1. 22; IX. 4. 1. It was Asinius Pollio who charged Livy with Patavinity!). CAELIUS, who had enjoyed

Cicero's instruction (Quint. XII. 11. 6), is accounted one of the same *coterie;* as also are MESSALLA and CURIO. These orators could not rival Cicero in his amplitude and affluence of speech, nor in his emotional power. So they fell back on a simpler, drier, colder style of speaking, claiming that this alone was truly Attic. They did not see, as Sandys has pointed out (Introd. to *Orator*, p. lxii), that the Latin tongue required fullness of expression, to keep simplicity from degenerating into baldness. They attained excellence in their chosen style; but it was sheer presumption to make for it an exclusive claim. They conjured with the name of Athens, as if that would give them the pre-eminence over the noblest Roman orator. It is no wonder that he protested against this pseudo-Atticism, and strove to bring Brutus back to a truer standard and a more inspiring ideal. His judgment was that of his own and of succeeding ages. The orations of his Atticizing critics were coldly received (84. 289), and were left to perish: Cicero's were the delight of his hearers, and were to become the admiration of many generations of critics, the treasure of our own far distant times.

5. Quite different was the oratorical degeneracy of the Silver Age. It was a part of the general literary corruption, and needs no separate treatment. Oratory suffered the earliest blight, for the new despotism stifled free speech. The *rhetores* became declamatory. Dry themes were substituted for living questions: see, *e.g.*, the *Suasoriae* of the elder Seneca. Unclassical affectations, fanciful conceits, and brilliant sayings took the place of direct expression, genuine sentiment, and sound reasoning. To be quoted was the test of success. Symmetry was impaired and literary perspective forgotten.

Of course there were exceptions, and differences among contemporaries in this later age. QUINTILIAN retained much of the Ciceronian spirit, while yet he is far from Cicero's style. TACITUS and PLINY pleaded together—*par nobile fratrum*—with much of the old Roman dignity. But the tendency was steadily

downward. Roman oratory had reached its culminating point in Cicero, and to him there is no second nor third among the later Romans.

VIII. The Text of the *Brutus*.

The Manuscripts of the *Brutus* derive from a single copy, found at Lodi, in 1422, by Bishop Gherardo Landriani. The copy included the other chief rhetorical works of Cicero, and was of essential service in filling out the text of *de Oratore*. This copy was sent to Milan, to Gasparino Barziza, and was turned over for transcription to several hands; *Brutus*, to Blondus Flavius of Milan. The original *Codex Laudensis* was neglected and lost. Copies were rapidly multiplied; and from the circumstances of the case the various extant Mss. differ less than is usual in classical texts. The original was not in perfect condition; as is shown by the imperfect ending, and in a few other places, where one or more words have fallen out. The Mss. of the *Brutus* collated by Lagomarsini (for his labors, cf. Wilkins's *de Or.* p. 61) are of differing value: two of them, with one Venetian and one Vatican Ms., are put by Ellendt in the first rank, as of nearly equal excellence and authority: cf. Stangl, Introd., and Heerdegen, Jahrb. 1885, pp. 105–112. For an account of other Mss., see Ell. *Praef.* p. vi sq.; Sandys's *Orator*, Introd. p. lxxxii sq. Kayser (*Praef.* p. xx) says, *Bruti in universum codices aliquoties laudavi; omnes recentes sunt et aequali fere dignitate praediti.*

The *Editio princeps* (Pid. *Einl.* p. 32) dates at Rome, 1465–67. Among the best modern editions are those of Ellendt, Meyer & Bernhardy, Peter, Orelli & Baiter, O. Jahn (revised by Eberhard), Baiter & Kayser, Piderit, and Stangl. These editions have been enriched and supplemented by the criticisms of Lambinus, Ernesti, Schütz, Bake, and others. The labors of all these scholars, based on an original of no inferior merit, have brought the text of the *Brutus* to an unusually satisfactory condition.

IX. Outline.

(The figures refer to the sections only.)

Preface, 1–25.

1–9. The recent death of Hortensius, deeply lamented by Cicero, and afflictive to the commonwealth; but opportune for Hortensius. He, if still living, would mourn over the evil times (greatly evil to Cicero). Happy they who could combine glory with philosophy.

10–21. Brutus and Atticus visit Cicero, to get away from public affairs, and to hear him on a topic of interest. Cicero has a debt to pay — to Brutus, for a comforting letter; to Atticus a larger debt, for his Annals. Full payment must be deferred; but meantime the two friends would have him resume an interrupted conversation with Atticus, and give an account of distinguished orators. He consents.

21–25. The occasion of the former conversation was Brutus's able speech for Deiotarus. Will such abilities have fair play, now that liberty is overthrown? Brutus cares for the thing more than for the rewards. They seat themselves by a statue of Plato. The theme a large one.

Greek Oratory, 26–52.

26–29. Its beginnings late, even at Athens. Solon, Themistocles, Pericles, Alcibiades, etc.

30–44. Its maturity late (cf. 39). A sudden crop of rhetoricians; Gorgias, Protagoras, etc.; against these, Socrates. Isocrates and his school of eloquence; Lysias, Demosthenes, etc.; Demetrius Phalereus, Theophrastus. A late date. But Homer honors eloquence: it had power from the first. As an art, it began with Pisistratus. Story of Themistocles's death. Pericles an almost perfect orator.

45–52. Eloquence attends peace. Sicily expelled the tyrants; then came court proceedings, and precepts of rhetoric by Corax and Tisias. Protagoras, Gorgias, Antiphon approached an ar-

tistic treatment; Lysias first professed the art. Theodorus and Isocrates followed, writing for others; the latter formed a system. Athens alone oratorical in Greece. Outside of Greece, Asian and Rhodian development. Greek oratory pertinent as an introduction to Roman.

Roman Oratory, 53–329.

53–57. The earliest Roman orators, of whom little is known: Brutus, App. Claudius, etc.

57–76. Better known: Cethegus, the 'marrow of persuasion'; Cato, to be compared with Lysias; now neglected, but worthy of study; rough, but excellent, like the early statues and paintings and poems.

77–80. Cato's earlier contemporaries: the elder Africanus, Ælius, etc. Later contemporaries: Gallus, Gracchus, Corculum, etc.

81–94. Numerous successors of Cato: Metellus, etc.; best of all, Lælius, the younger Africanus, Galba. Galba outdid Lælius. Why his speeches read poorly.

94–102. Between Galba and the Gracchi: Lepidus (who became a model to Ti. Gracchus), Crassus, etc.

103–126. The Gracchan era: Ti. Gracchus (instructed by Cornelia), Carbo, Furius, Scævola, App. Claudius, the Drusi, etc.; Scaurus the 'antique,' Rutilius the Stoic (few Stoics are orators,) Curio, etc.; C. Gracchus, superior to all.

127–138. From the Gracchi to Crassus: C. Galba, Nasica, Calvinus, etc.; Catulus (with a modern finish), Scaurus, Marcellus, etc.

139–164. Oratory reaches maturity. Antonius and Crassus described and compared; Crassus and Scævola, the comparison of whom suggests to Brutus a like comparison of Cicero and Sulpicius. Cicero sets aside his own name, but eulogizes Sulpicius, and Brutus laments the evil times which have silenced both. 'Hush,' from Atticus. Crassus marks the first maturity of Roman eloquence; his speech on the Servilian law a model.

165–168. Lesser Roman names.

169–172. From the Allies and Latins: they lack the *color urbanitatis* (story of Theophrastus at Athens).

173–182. Romans again, in the wake of Crassus and Antonius: Philippus, Octavius, etc.; the polished and witty Cæsar; many others, including two coarse but acute *rabulae*. Apology for so full a list.

183–200. After Cæsar, a numerous progeny, of whom Cicero and the public declare Cotta and Sulpicius chief. The *vox populi* coincides with the best criticism; *e.g.* concerning Crassus and Antonius, Cotta and Hortensius, and (adds Brutus) Cicero. Demosthenes could not speak to Plato alone: as the flute to the musician, so is an audience to the orator. The public may overrate, for lack of comparison, as Scævola at first; but Crassus dashes him down. Advantage of the skilled critic.

201–220. Cotta and Sulpicius very unlike; one quiet, the other tragic. No speech of either extant. No rival to them in this younger set; they got all the cases left by the older orators: there was not then the poor fashion of dividing up a case. Curio was brilliant, but very deficient.

221–233. Others were Varius, Pomponius, etc. There were specialists in speaking, including the father of Brutus: popular haranguers, such as the seditious Saturninus, Glaucia (worst of demagogues), Titius (he of the 'Titian jig'). Of the age of Sulpicius: Antistius and Sisenna. Hortensius belongs to that period, as well as to the later. The history comes down to the living, of whom Cicero declines to speak: promises to tell his own experience. But more names remain of the dead.

233–247. Contemporary with Hortensius: Crassus (the triumvir), the Lentuli, M. Piso, Macer, Pompeius Magnus, etc.; and of a poorer sort Autronius, Staienus, etc. 'Dregs!' cries Atticus. But we can see how few excel. Add a few names: the two Metelli, Marcellinus, etc.

248–262. 'Do speak of two living men,' says Brutus, 'Cæsar and Marcellus.' 'No, you.' So Brutus eulogizes Marcellus, and Atticus Cæsar, recalling Cæsar's high opinion of Cicero: (orator and general compared.) Cæsar's pure and correct style, with fit ornament and noble delivery. Return to the dead.

263–282. Sicinius was helped by the system of Hermagoras; then come Visellius, Torquatus, Triarius; (another groan at the losses of the troubled State;) App. Claudius, etc., the two Lentuli, Postumius; ('Going low again,' says Atticus;) Piso (Cicero's son-in-law), Cælius, etc., Calidius (who lacked the third power of the orator), Curio (of a too hasty ambition).

283–300. Calvus was polished, but too dry, affecting Atticism. The Attic orators not alike. The speeches in Thucydides not patterns for the orator. Demosthenes *is* a model: are these new Atticists like him? He drew crowds: do they? Is there, asks Atticus, a Socratic irony in your account? *e.g.* in comparing Cato to Lysias; in placing later orators so high. No irony: the praise is genuine, and touches few out of the many named. Brutus: 'Analyze for us some of those old orations.' Cicero: 'Gladly, another time, at Cumæ or Tusculum.'

301–304. Now, at last, Hortensius, who came forward very young, and rivalled even Crassus and Antonius: his memory; his painstaking; his varied excellencies. In his glory when Cicero came forward.

305–316. Cicero's training: listening to orators; lessons from Scævola, Philo, Molo, Diodotus; unremitting study and practice. Entrance on public life, and immediate success: breaking off; study at Athens; journeyman's tour in Asia; study at Rhodes; return to Rome in good oratorical 'form.'

317–324. Cotta and Hortensius then reigning orators; the latter the best mark for rivalry. Cicero was soon a match for him. The older man had slackened his industry, and the younger passed him. One more effort to prevent eclipse; then Hortensius gracefully yielded the precedence, and till death was a good friend and fellow-worker.

325–329. Hortensius's decadence due in part, also, to his Asiatic style. Two kinds of Asianism, the sententious and the florid; in both he excelled. But Asianism, acceptable in the young, lacks the authority required for age. Yet his eloquence was extinguished only by death; Cicero's by the public calamities. Fortunate Hortensius!

Epilogue.

330–333. Eloquence thus orphaned is left to the guardianship of Cicero and Brutus: let her be sacredly cherished, and secured from lawless suitors. The older orator has the consolation of his past. For the younger, the present is dark; may the future bring brighter days and juster rewards.

M. TULLII CICERONIS

BRUTUS

DE CLARIS ORATORIBUS.

Cum e Cilicia decedens Rhodum venissem et eo mihi 1 I
de Q. Hortensii morte esset adlatum, opinione omnium maiorem animo cepi dolorem; nam et amico amisso cum consuetudine iucunda tum multorum officiorum coniunctione me privatum videbam et interitu talis auguris dignitatem nostri conlegii deminutam dolebam; qua in

1. I. Cilicia: Cicero's one province, and to that he went reluctantly. He begged his friends (*e.g.* Hortensius, *ad Att.* V. 2. 1) to see that his year of service was not prolonged. His administration was able, even from a military point of view; and so singularly incorrupt and impartial as to win the liveliest gratitude of the Cilicians. His year began at the end of July, B.C. 51.

decedens: early in August, B.C. 50.

Rhodum: visited before, B.C. 78, in his two years' absence for the completion of his oratorical studies; 316. For the present visit, cf. *ad Fam.* II. 17. 1.

decedens . . . venissem: cf. *Tusc.* II. 25. 61; *de Or.* I. 18. 82, *cum pro consule in Ciliciam proficiscens venissem Athenas.* Not like our inexact English combination of pres. participle and verb in succession of time; *e.g.* 'leaving New York, he visited Boston.' The action in **decedens** (retiring from) includes the incidents of the return home. Cf. *revertentem*, Tac. *Agr.* 9, and Wex's note.

Q. Hortensii: born B.C. 114. The most brilliant orator of the decade before Cicero's fame was established. Cf. 317 sq.

morte: the near approach of his death had been told to Cicero by Cælius, *ad Fam.* VIII. 13. 2. He died in June, B.C. 50.

opinione: *de Or.* I. 35. 164; *ad Fam.* XIV. 23. Other abl. in like phrases are *exspectatione*, *spe*, etc.

omnium: who would assume that Cicero cherished dislike to his only rival. But these two greatest orators of their time were intimate friends. Their last interview was at Cicero's Cuman villa; *ad Att.* V. 2. 1.

dolorem: *ad Att.* VI. 6. 2, *de Hortensio te certo scio dolere, equidem excrucior.*

officiorum, *kindly offices ;* cf. *de Am.* 16, 58; 14, 49.

conlegii, of augurs. Election to

cogitatione et cooptatum me ab eo in conlegium recordabar; in quo iuratus iudicium dignitatis meae fecerat, et inauguratum ab eodem; ex quo augurum institutis in parentis eum loco colere debebam.

2 Augebat etiam molestiam, quod magna sapientium civium bonorumque penuria vir egregius coniunctissimusque mecum consiliorum omnium societate alienissimo rei publicae tempore exstinctus et auctoritatis et prudentiae suae triste nobis desiderium reliquerat; dolebamque, quod non, ut plerique putabant, adversarium aut obtrectatorem laudum mearum, sed socium potius
3 et consortem gloriosi laboris amiseram. Etenim si in

this college was now made by seventeen (determined by lot) out of the thirty-five tribes. The elections were originally made by the *comitia curiata*, the Patrician body; afterward by the college itself. Their choice was called *co-optatio* (see first meaning of *optare*). The Domitian law, B.C. 103, gave the election to the people. Sulla restored it to the college. When his law was repealed, the choice was left to the people, but was to be from names (probably three) presented by the augurs themselves. Thus the college was virtually self-perpetuating. From *Phil.* II. 2. 4, we learn that but two augurs made the nomination (*nec enim licebat a pluribus nominari*), and that the two who nominated Cicero were Pompey and Hortensius.

deminutam: *de-minuere*, to lessen by taking from, is a different word from *di-minuere*, to break into small pieces. The English and French derivatives have the meaning of the former with the vowel of the latter. Later Latin sometimes weakened the *e* in *deminutio*.

cooptatum: *co-optatio* was choice by the college; but as the result of the *nominatio* it is here ascribed to Hortensius. Cicero became an augur B.C. 53, taking the place of the young Crassus, slain in the Parthian war. The college, since Sulla's time, contained fifteen members.

iudicium dignitatis meae: *i.e.* a judicial declaration that I was a worthy candidate; a solemnity required of the *nominator*.

inauguratum, *installed* (with due sacred rites). One augur could perform the ceremony: cf. Liv. I. 18, and Seeley's note.

parentis: the college was like a family.

2. **molestiam**: *i.e.* the burden (cf. *moles*) of my sorrow.

alienissimo, *most inopportune;* when the state was on the eve of civil war.

desiderium, *regret* (for the loss of): cf. *desideraret*, 6.

laboris: especially their public and great services in critical times: cf. 323.

3. **leviorum artium**: the polite arts were in a Roman's estimation inferior to practical statesmanship. Cf. *de Or.* I. 49. 212.

leviorum artium studio memoriae proditum est poetas nobilis poetarum aequalium morte doluisse, quo tandem animo eius interitum ferre debui, cum quo certare erat gloriosius quam omnino adversarium non habere? cum praesertim non modo numquam sit aut illius a me cursus impeditus aut ab illo meus, sed contra semper alter ab altero adiutus et communicando et monendo et favendo.

Sed quoniam perpetua quadam felicitate usus ille 4
cessit e vita suo magis quam suorum civium tempore, et tum occidit cum lugere facilius rem publicam posset, si viveret, quam iuvare, vixitque tam diu quam licuit in civitate bene beateque vivere, nostro incommodo detrimentoque, si est ita necesse, doleamus, illius vero mortis opportunitatem benevolentia potius quam misericordia prosequamur, ut, quotienscumque de clarissimo et beatissimo viro cogitemus, illum potius quam nosmet ipsos
diligere videamur. Nam si id dolemus quod eo iam frui 5
nobis non licet, nostrum est id malum; quod modice feramus, ne id non ad amicitiam, sed ad domesticam utilitatem referre videamur; sin, tamquam illi ipsi acer-

poetas nobilis: as Sophocles at the death of Euripides: Biog. Dict. s. v. Eurip.

aequalium, *contemporary*.

numquam: to be taken with the slight qualification implied in *perstrinxerat*, 323. Cf. *ad Att.* III. 9. 2; IV. 6. 3; *ad Q. Fr.* I. 3. 7.

4. **perpetua . . . felicitate**: cf. 329; *ad Fam.* II. 16. 3, *etenim memini in hoc genere gloriari solitum esse familiarem nostrum Q. Hortensium, quod numquam bello civili interfuisset.*

tum . . . cum: not an exact correspondence of time: from the death (**occidit**, *momentary*) the thought is carried on to the time subsequent (**si viveret**).

posset: apodosis for *si viveret.*

benevolentia: *i.e.* pure congratulation.

misericordia: the *com-passion* which suggests our own grief. The slight antithesis is further brought out in **illum potius quam nosmet ipsos diligere**.

prosequamur, *follow forth*, honor by attending, *honor*: *Tusc.* II. 25. 61; Liv. IX. 8.

5. **domesticam**, *personal*: cf. *Tusc.* I. 46. 111, *nostrum enim et nostra causa susceptum dolorem modice ferre debemus, ne nosmet ipsos amare videamur.*

bitatis aliquid acciderit, angimur, summam eius felicitatem non satis grato animo interpretamur.

2 6 Etenim si viveret Q. Hortensius, cetera fortasse desideraret una cum reliquis bonis et fortibus civibus, hunc aut praeter ceteros aut cum paucis sustineret dolorem, cum forum populi Romani, quod fuisset quasi theatrum illius ingenii, voce erudita et Romanis Graecisque auribus
7 digna spoliatum atque orbatum videret. Equidem angor animo non consilii, non ingenii, non auctoritatis armis egere rem publicam, quae didiceram tractare quibusque me adsuefeceram quaeque erant propria cum praestantis in re publica viri tum bene moratae et bene constitutae civitatis. Quodsi fuit in re publica tempus ullum, cum extorquere arma posset e manibus iratorum civium boni civis auctoritas et oratio, tum profecto fuit, cum patrocinium pacis exclusum est aut errore hominum aut timore.

8 Ita nobismet ipsis accidit, ut, quamquam essent multo

grato: toward the gods; cf. *de Or.* III. 2. 8, *ut mihi non erepta L. Crasso a dis immortalibus vita, sed donata mors esse videatur.*

2. 6. una cum . . . = 'not more than they.'

bonis et fortibus: in the political sense, like the Greek καλοὶ κἀγαθοί: for **bonis**, cf. 103; 273; the class of *optimates.*

fuisset: subjunc. by attraction.

Graecisque, *and even Greek.*

spoliatum: by the civil war.

7. equidem: in Cicero, only with 1st pers. sing. of the verb; but not (as formerly explained) from *ego quidem*: cf. Gildersleeve's *Persius*, I. 110.

animo: *ad Fam.* XVI. 14. 2: *angi animi* (loc.) is oftener used: in plur. *animis.*

moratae: with emphasis on the higher meaning of *mores*: *de Or.* II. 43. 184, *ut probi, ut bene morati, ut boni viri esse videamur*; Liv. XLV. 23; Quint. VIII. 6. 24.

constitutae: cf. *de Or.* I. 19. 85.

posset; exclusum est: 'The subjunctive [of characteristic] expresses what would happen in a supposed case; the indicative states what did in fact take place.' A. & G. p. 230.

patrocinium: such as that of Cicero himself; see 266. n.

aut errore . . . aut timore: the lack of wisdom or of resolution among the Pompeian party.

8. essent: subjunc., not as following **quamquam** (post-Ciceronian, R. 1697), but by attraction; cf. *de Or.* II. 1. 1; *Phil.* VI. 1. 3.

magis alia lugenda, tamen hoc doleremus, quod, quo
tempore aetas nostra perfuncta rebus amplissimis tam-
quam in portum confugere deberet, non inertiae neque
desidiae, sed otii moderati atque honesti, cumque ipsa
oratio iam nostra canesceret haberetque suam quandam
maturitatem et quasi senectutem, tum arma sunt ea
sumpta, quibus illi ipsi, qui didicerant eis uti gloriose,
quem ad modum salutariter uterentur non reperiebant.
Itaque ei mihi videntur fortunate beateque vixisse cum 9
in ceteris civitatibus tum maxime in nostra, quibus cum
auctoritate rerumque gestarum gloria tum etiam sapien-
tiae laude perfrui licuit; quorum memoria et recordatio
in maximis nostris gravissimisque curis iucunda sane fuit,
cum in eam nuper ex sermone quodam incidissemus.

Nam cum inambularem in xysto et essem otiosus 8 10
domi, M. ad me Brutus, ut consueverat, cum T. Pom-
ponio venerat, homines cum inter se coniuncti tum mihi

doleremus: expressing poignant grief, which might be wanting in *lugere*.

deberet: subjunc. after **quo tempore**, as in the next clauses **canesceret** and **haberet** after **cum**.

canesceret: Quint. XI. 1. 31, [*eloquentiae genus*] *pressum et mite et limatum et quale intellegi vult Cicero, cum dicit orationem coepisse canescere*.

illi: viz., Cæsar and Pompey.

9. **maxime in nostra**: as the greatest and worthiest.

sapientiae: *i.e.* political wisdom.

per (frui): through, to the end.

memoria retains; **recordatio** recalls.

8. 10. **xysto**: open; not a covered colonnade, as the word meant with the Greeks; Vitruv. VI. 7. 5.

domi: with both the preceding clauses. Not at one of his country villas, but at Rome; cf. 300, *in Cumano aut in Tusculano aliquando;* 20; 24. n.

M.... Brutus: for the interpolation of words in proper names, cf. 54; 57; 96; 106; 135; 137; 222; 247; 268–9; *de Or.* I. 10. 40; I. 36. 166. The interpolated word is usually conjunctive; only one of the places cited (*de Or.* I. 10. 40) has a pronoun. For the breaking of other closely jointed phrases, see 8, *oratio iam nostra;* 11, *eo, inquit, ad te animo;* 12, *populus se Romanus;* 91, *quid igitur, inquit, est causae, Brutus;* 126, *quam ille facile;* 332, *ex ea, quam ego congessi in hunc sermonem, turba;* etc.

venerat: usually explained as plup. with reference to the conversation (*nuper ex sermone*, 9); but see textual notes.

homines: for concord of this

ita cari itaque iucundi, ut eorum aspectu omnis quae me angebat de re publica cura consederit. Quos postquam salutavi, 'Quid vos,' inquam, 'Brute et Attice? numquid tandem novi?' 'Nihil sane,' inquit Brutus, 'quod quidem aut tu audire velis aut ego pro certo dicere audeam.'

11 Tum Atticus, 'Eo,' inquit, 'ad te animo venimus, ut de re publica esset silentium et aliquid audiremus potius ex te, quam te adficeremus ulla molestia.' 'Vos vero,' inquam, 'Attice, et praesentem me cura levatis et absenti magna solacia dedistis; nam vestris primum litteris recreatus me ad pristina studia revocavi.' Tum ille, 'Legi,' inquit, 'perlibenter epistulam quam ad te Brutus misit ex Asia, qua mihi visus est et monere te prudenter

12 et consolari amicissime.' 'Recte,' inquam, 'est visus: nam me istis scito litteris ex diuturna perturbatione totius valetudinis tamquam ad aspiciendam lucem esse revocatum; atque ut post Cannensem illam calamitatem primum Marcelli ad Nolam proelio populus se Romanus

appositive, cf. verb in such sentences as (Liv. XXI. 60) *ipse dux cum aliquot principibus capiuntur*.

inter se coniuncti: see Introd. VI. 1.

vos: verb omitted, *adfertis*, or the like.

numquid tandem novi? cf. *de Or.* II. 3. 13. News was eagerly awaited from the war in Africa: cf. *ad Fam.* V. 21. 3, *neque me tamen ulla res alia Romae tenet nisi exspectatio rerum Africanarum: videtur enim res in propinquum adducta discrimen.* Cicero had a lingering hope of success for the Pompeian party: **tandem** corresponds to this feeling.

11. **eo**: cf. 10. n.

silentium: cf. 157; quite in the habitual mood of Atticus, who kept aloof from political complications.

vos: both in mind, though but one is named. Cf. Verg. *Aen.* IX. 525, *vos, o Calliope, precor, aspirate canenti.*

praesentem: a word appropriate either to subject or to object; cf. Plaut. *Most.* 1061, *adsum praesens praesenti tibi.*

epistulam: 330. For special causes of Cicero's despondency, cf. 12; *ad Fam.* IV. 14. 3, *ego tam misero tempore nihil novi consilii cepissem, nisi in reditu meo nihilo meliores res domesticas quam rem publicam offendissem.*

12. **Cannensem**: B.C. 216.

ad Nolam: of two victories, B.C. 216 and 215, the latter was the more important. Cf. Liv. XXIII. 16, *non vinci enim ab Hannibale vincentibus difficilius fuit quam post ea vincere.*

erexit posteaque prosperae res deinceps multae consecutae sunt, sic post rerum nostrarum et communium gravissimos casus nihil ante epistulam Bruti mihi accidit quod vellem aut quod aliqua ex parte sollicitudines adlevaret meas.' Tum Brutus, 'Volui id quidem efficere 13
certe et capio magnum fructum, si quidem quod volui tanta in re consecutus sum; sed scire cupio quae te Attici litterae delectaverint.' 'Istae vero,' inquam, 'Brute, non modo delectationem mihi, sed etiam, ut spero, salutem attulerunt.' 'Salutem?' inquit ille; 'quodnam tandem genus istuc tam praeclarum litterarum fuit?' 'An mihi potuit,' inquam, 'esse aut gratior ulla salutatio aut ad hoc tempus aptior quam illius libri, quo me hic adfatus quasi iacentem excitavit?'

Tum ille, 'Nempe eum dicis,' inquit, 'quo iste omnem 14
rerum memoriam breviter et, ut mihi quidem visum est, perdiligenter complexus est?' 'Istum ipsum,' inquam, 'Brute, dico librum mihi saluti fuisse.' Tum Atticus, **4**
'Optatissimum mihi quidem est quod dicis; sed quid

13. **istae, istuc**: of which you speak.

an: not used in a simple direct question. The suppressed alternative may here = 'Think you so?' *Or*, etc.: translate, *Why!*

salutatio: rarely means a written greeting, or, as here, a formal dedication of a book; adroitly used to correspond with **salutem**.

libri: Atticus (19) was incited by Cicero's *de Republica* to the writing of his *Annalis*, which contained an epitome of Roman history, and was dedicated to Cicero. No part of it is extant. Cf. Nepos, *Att.* 18, *antiquitatisque amator, quam adeo diligenter habuit cognitam, ut eam totam in eo volumine exposuerit, quo magistratus ornavit. Nulla enim lex, neque pax, neque bellum, neque res illustris est populi Romani, quae non in eo suo tempore sit notata: et, quod difficillimum fuit, sic familiarum originem subtexuit, ut ex eo clarorum virorum propagines possimus cognoscere.*

14. **eum**: sc. **librum**.

rerum: Jahn inserts **nostrarum**, comparing 19 and 44. But see *Or.* 34. 120, where the work of Atticus is spoken of as omitting *nihil inlustre* among the powerful neighbors of Rome.

4. optatissimum: 'The adjective is a participle at rest, the participle is an adjective in motion. . . . The difference between participle and adjective is at its height when the participle denotes progressive

tandem habuit liber iste, quod tibi aut novum aut tanto
15 usui posset esse?' 'Ille vero et nova,' inquam, 'mihi quidem multa et eam utilitatem, quam requirebam, ut explicatis ordinibus temporum uno in conspectu omnia viderem; quae cum studiose tractare coepissem, ipsa mihi tractatio litterarum salutaris fuit admonuitque, Pomponi, ut a te ipso sumerem aliquid ad me reficiendum teque remunerandum, si non pari, at grato tamen munere; quamquam illud Hesiodium laudatur a doctis, quod eadem mensura reddere iubet qua acceperis aut etiam cumulatiore, si possis.

16 Ego autem voluntatem tibi profecto emetiar, sed rem ipsam nondum posse videor; idque ut ignoscas, a te peto. Nec enim ex novis, ut agricolae solent, fructibus est unde tibi reddam quod accepi; sic omnis fetus repressus *est* exustusque flos siti veteris ubertatis exa-

action, as in the present. In the perfect participle the difference is reduced to a minimum.' Gildersleeve.

15. **tractare,** *to study:* cf. the Eng. *treat.*

litterarum: 78; 125; 228.

salutaris: cf. *ad Fam.* IV. 3. 3 (referring to learned and philosophical studies), *quae ego experiens cotidie sic probo, ut ea mihi salutem adferre videantur; . . . his vero temporibus habemus aliud nihil, in quo adquiescamus.*

aliquid: not for this treatise, but for that which is promised in 16, *seremus,* etc. Some suppose it to be *de Legibus;* but the later date of that work is in question. It may have been a historical work, designed but never executed; and to this the phrase **a te ipso** would correspond. Cf. O. Harnecker, *Jahrb.* 123, p. 184, and 125, p. 601, note. That Cicero is not speaking of the *Brutus* is clear from 19, *illa, cum poteris; . . . nunc vero . . . quod quaerimus.*

Hesiodium: in *Works and Days,* 349 sq., *εὖ μὲν μετρεῖσθαι παρὰ γείτονος, εὖ δ' ἀποδοῦναι αὐτῷ τῷ μέτρῳ, καὶ λώϊον, αἴ κε δύνηαι.* For other uses of the thought by Cicero, see *de Off.* I. 15. 48; *ad Att.* XIII. 12. 3.

16. **emetiar**: Hor. *Sat.* II. 2. 105.

videor: for the fuller *mihi videor* = *I think that I:* cf. 18; 161.

id: only the direct obj. is here expressed.

est unde: cf. the frequent *sunt qui.*

siti: Ell. and Peter connect with **exustus**: Jahn cites Lucr. III. 917, *sitis exurat miseros;* Sen. *Agam.* 19, *exustus siti* [*Tantalus*]. But **exaruit** would easily take this abl.: *de Rep.* I. 43. 66, *inexplebiles populi fauces, exaruerunt libertatis siti:* (for gen. cf. Hor. *Ep.* I. 18. 23; Juv. X. 140); cf. 82. n.

ruit, nec ex conditis, qui iacent in tenebris et ad quos omnis nobis aditus, qui paene solis patuit, obstructus est. Seremus igitur aliquid tamquam in inculto et derelicto solo, quod ita diligenter colemus ut impendiis etiam augere possimus largitatem tui muneris; modo idem noster animus efficere possit quod ager, qui cum multos annos quievit, uberiores efferre fruges solet.'
Tum ille, 'Ego vero et exspectabo ea quae polliceris, 17
nec exigam nisi tuo commodo et erunt mihi pergrata, si solveris.' 'Mihi quoque,' inquit Brutus, 'exspectanda sunt ea quae Attico polliceris, etsi fortasse ego a te huius voluntarius procurator petam, quod ipse, cui debes, se incommodo *tuo* exacturum negat.' 'At vero,' 5 18
inquam, 'tibi ego, Brute, non solvam, nisi prius a te cavero amplius eo nomine neminem, cuius petitio sit, petiturum.' 'Non mehercule,' inquit, 'tibi repromittere istuc quidem ausim; nam hunc, qui negat, video flagita-

conditis: former harvests stored away; referring especially to philosophical studies and writings, which at Rome were 'caviare to the general' (**qui paene solis** [sc. **nobis**] **patuit**).

obstructus: by the evil condition of affairs.

aliquid: 15. n.

derelicto: *in Verr.* II. 3. 51. 120.

impendiis, *interest.*

largitatem: cf. Eng. *largess.*

quievit: Ov. *A. A.* II. 351, *da requiem: requietus ager bene credita reddit;* cf. Verg. *Geor.* I. 71 sq.

17. **exigam**: a technical term = 'to enforce payment'; *ad Fam.* XIII. 11. 1; cf. Eng. *exact.* The figure is consistently kept up throughout the passage.

voluntarius, *self-constituted.*

procurator, *deputy*, *agent:* cf. Gaius, *Inst.* IV. 84. Brutus knew how to 'exact' dues. Cf. *ad Att.* VI. 1. 6; VI. 2. 8; Boissier, *Cicéron et ses Amis*, p. 333, for an account of the siege of the Salaminian senate by Scaptius, a friend of Brutus and fellow-usurer, whom Brutus commended to Cicero's good offices, and who proved to be acting for Brutus. Five 'senators' died of starvation.

5. 18. **cavero**: *i.e.* shall have got a guaranty. Cf. *Or.* 41. 141, *praescriptionum cautionumque praeceptio.* The construction with acc. and infin. is rare, but similar to that after a promise or pledge (here a promise received); M. 395. 3.

neminem cuius petitio sit: a circumlocution (put negatively) for *dominus* = *owner*, *original claimant;* cf. Gaius, *Inst.* IV. 98, *periculum enim est ne iterum dominus de eadem re experiatur.*

ausim: Cicero uses this form nowhere else.

torem non illum quidem tibi molestum, sed adsiduum tamen et acrem fore.' Tum Pomponius, 'Ego vero,' inquit, 'Brutum nihil mentiri puto: videor enim iam te ausurus esse appellare, quoniam longo intervallo modo
19 primum animadverti paulo te hilariorem. Itaque, quoniam hic quod mihi debetur se exacturum professus est, quod huic debes ego a te peto.' 'Quidnam id?' inquam. 'Ut scribas,' inquit, 'aliquid; iampridem enim conticuerunt tuae litterae. Nam ut illos de re publica libros edidisti, nihil a te sane postea accepimus; eisque nosmet ipsi ad veterum rerum nostrarum memoriam comprehen-
20 dendam impulsi atque incensi sumus. Sed illa, cum poteris; atque ut possis, rogo; nunc vero,' inquit, 'si es animo vacuo, expone nobis quod quaerimus.' 'Quidnam est id?' inquam. 'Quod mihi nuper in Tusculano inco-

qui negat, = Atticus: sc. **se incommodo tuo exacturum** (17).

illum quidem: a frequent phrase of concession, where the Eng. has no pronoun.

appellare, *to dun*: *Phil.* II. 29. 71. But he waives his own claim, and proceeds to ask for the payment due to Brutus.

19. **debes**: *i.e.* as a master and teacher.

ut (illos), *since*: cf. 151; 305; Plaut. *Stich.* 29, *nam viri nostri domo ut abierunt, hic tertiust annus*; *Tusc.* I. 38. 92; *ad Att.* I. 15. 2; Hor. *Epod.* 7. 19.

de re publica libros: written B.C. 54, and published B.C. 52 or 51. This treatise was in six Books, and was regarded by Cicero and his friends as one of the most important of his writings. The scene of the dialogue was laid in the gardens of the younger Africanus, the chief interlocutor; the time is B.C. 129. In the confusion of the closing years of the Roman Republic, and the ensuing tyranny, the treatise was neglected. But it is known to have been extant in the tenth century: in the seventeenth it had disappeared. Portions of it, including the *Somnium Scipionis,* were preserved in the writings of Macrobius, and in those of St. Augustine. In 1820, Cardinal Mai discovered large portions of the work on a palimpsest of Augustine's commentaries on the Psalms. The restored Ms. is considered one of the earliest and best of Latin Mss. In all, about one-third of the treatise has been recovered. For a notice of the scope of the work (and of *de Legibus*), see Gibbon, Chap. 44. A new edition was issued in 1884, at London, from Mai's third edition of 1846. British scholarship will doubtless call for another.

rogo: as the ability depended somewhat, at least, on Cicero's will.

20. **Tusculano**: Cicero's favorite country villa.

havisti de oratoribus, quando esse coepissent, qui etiam et quales fuissent; quem ego sermonem cum ad Brutum tuum vel nostrum potius detulissem, magno opere hic audire se velle dixit. Itaque hunc elegimus diem, cum te sciremus esse vacuum. Qua re, si tibi est commo-
dum, ede illa, quae coeperas, et Bruto et mihi.' 'Ego 21
vero,' inquam, 'si potuero, faciam vobis satis.' 'Poteris,' inquit; 'relaxa modo paulum animum aut plane, si potes, libera.'

'Nempe igitur hinc tum, Pomponi, ductus est sermo, quod erat a me mentio facta causam Deiotari fidelissimi atque optimi regis ornatissime et copiosissime a Bruto
me audisse defensam.' 'Scio,' inquit, 'ab isto initio 6
tractum esse sermonem teque Bruti dolentem vicem quasi deflevisse iudiciorum vastitatem et fori.' 'Feci,'
inquam, 'istuc quidem et saepe facio. Nam mihi, 22
Brute, in te intuenti crebro in mentem venit vereri, ecquodnam curriculum aliquando sit habitura tua et

nostrum: *ad Att.* VI. 2. 7, *Brutum tuum, immo nostrum; sic enim mavis.*

ede: cf. **expone**, above; *de Leg.* III. 20. 47, *edant et exponant.*

21. **potuero**: cf. *de Or.* II. 20. 85, *instituam, si potuero;* where Wilkins says 'fut. perf. because the *posse* must necessarily precede the *instituere*': cf. *de Off.* III. 23. 89, and Holden's note.

igitur: passing to the subject proposed.

ductus: 218; cf. **tractum**, below.

fidelissimi: *i.e.* to Pompey. Hence put on his defense before Cæsar, B.C. 47, at Nicæa, when Brutus spoke in his behalf, but unsuccessfully. His title was left him, but most of his tetrarchy was taken away; see *Bell. Alex.* 68. He was more successfully defended on another capital charge, B.C. 45, by Cicero. Cæsar postponed his decision till he should have visited Asia again: this he never did, and Deiotarus survived him.

ornatissime et copiosissime: cf. Cæsar's adverbs, *valde, vehementer . . . et libere; ad Att.* XIV. 1. 2.

6. **isto, istuc**: 13. n.

vicem: cf. *ad Fam.* XII. 23. 3, *tuam vicem saepe doleo* (for your sake).

vastitatem: Cæsar's dictatorship stifled the courts, and silenced the best advocates.

facio: cf. 331 sq.

22. **in te intuenti**: 26; 253; 331: more commonly without the preposition.

natura admirabilis et exquisita doctrina et singularis industria. Cum enim in maximis causis versatus esses et cum tibi aetas nostra iam cederet fascisque summitteret, subito in civitate cum alia ceciderunt, tum etiam ea ipsa, de qua disputare ordimur, eloquentia obmutuit.'

23 Tum ille, 'Ceterarum rerum causa,' inquit, 'istuc et doleo et dolendum puto. Dicendi autem me non tam fructus et gloria quam studium ipsum exercitatioque delectat; quod mihi nulla res eripiet te praesertim tam studioso mei. Dicere enim bene nemo potest, nisi qui prudenter intellegit. Qua re qui eloquentiae verae dat operam, dat prudentiae, qua ne maximis quidem in bellis

24 aequo animo carere quisquam potest.' 'Praeclare,' inquam, 'Brute, dicis eoque magis ista dicendi laude delector, quod cetera, quae sunt quondam habita in civitate pulcherrima, nemo est tam humilis qui se non aut posse adipisci aut adeptum putet: eloquentem neminem video factum esse victoria. Sed quo facilius sermo explicetur, sedentes, si videtur, agamus.' Cum idem placuisset illis, tum in pratulo propter Platonis statuam consedimus.

natura . . . doctrina . . . industria: three requisites everywhere insisted on; cf. 98; 125; 272; 280; *de Or.* II. 57. 232, *ea quae natura, quae studio, quae exercitatione consequimur.* Cicero's exaggerated praise of Brutus makes these qualifications no less important for the ideal orator.

causis: as of Deiotarus, here mentioned; of his father-in-law, App. Claudius, 230; 324.

summitteret: cf. Plin. *N. H.* VII. 30. 112.

23. **studioso mei**: cf. 64; *ad Att.* III. 22. 4; *pro Mil.* 8. 21. For Cicero's helpfulness to younger orators, cf. *ad Fam.* IX. 16. 7, *Hirtium ego et Dolabellam dicendi discipulos habeo.* See Introd. II. 1.

enim: often, as here, with an ellipsis; (the **studium** just spoken of is necessary) *for*, etc.

prudenter, *clearly.*

prudentiae: = a cultivated clearness of understanding; cf. *de Or.* III. 14. 55, *quae quo maior est vis, hoc est magis probitate iungenda summaque prudentia.*

24. **quondam**: Cæsar had lowered the highest dignities by bestowing them on his favorites. Senators he might create at will; orators could not be made by any 'victory.'

humilis, *low-born.*

pratulo: a small grass plot by the house, a *city lawn;* see 10. n.

Platonis: fit umpire for the ora-

Hic ego: 'Laudare igitur eloquentiam et quanta vis sit 25
eius expromere quantamque eis, qui sint eam consecuti, dignitatem adferat, neque propositum nobis est hoc loco neque necessarium; hoc vero sine ulla dubitatione confirmaverim, sive illa arte pariatur aliqua sive exercitatione quadam sive natura, rem unam esse omnium difficillimam. Quibus enim ex quinque rebus constare dicitur, earum una quaeque est ars ipsa magna per sese; quarum quinque artium concursus maximarum quantam vim quantamque difficultatem habeat, existimari potest.
Testis est Graecia, quae cum eloquentiae studio sit in- 7 26
censa iamdiuque excellat in ea praestetque ceteris, tamen

tor as well as for the philosopher; *de Or.* I. 11. 47, *hoc maxime admirabar Platonem, quod mihi in oratoribus inridendis ipse esse orator summus videbatur*. The Romans of this age often adorned their homes with statues of celebrated Greeks.

consedimus: cf. *de Or.* I. 7. 29.

25. **igitur**: 21. n.

expromere, *set forth*: not *put forth*, as *de Or.* I. 5. 17; *Or.* 36. 125.

sive illa, etc.: cf. 22 n.; *de Or.* I. 2. 5; I. 21. 96, *ut vero penitus in eam ipsam totius huius vel studii vel artificii vel facultatis disputationem paene intimam veniretis*. **difficillimam** is applicable to *ars* and to *exercitatio*, not strictly to *natura*; but Cicero does not mean unassisted nature.

ex quinque rebus: Quintilian (III. 3. 1) gives single terms for the five parts of oratory; viz. *inventio, dispositio, elocutio, memoria, actio vel pronuntiatio*. Cicero puts the same in varying phrases: *e.g. de Or.* II. 19. 79, *quinque faciunt quasi membra eloquentiae, invenire quod dicas, inventa disponere, deinde ornare verbis, post memoriae mandare, tum ad extremum agere ac pronuntiare*: cf. also I. 31. 142; *de Inv.* I. 7. 9. We must keep in mind the difference between *elocutio* and our *elocution*; as between *pronuntiatio* and our *pronunciation*. *Actio*, also, is often taken in too narrow a sense; Sandys on *Or.* 17. 56.

Quite distinct from the five parts of oratory are the five parts of an oration. For these Quintilian (III. 9. 1) gives the single terms *prooemium, narratio, probatio, refutatio, peroratio*. Here, also, Cicero has varying descriptions: *e.g. de Or.* I. 31. 143; *Or.* 35. 122; *Part. Orat.* 1. 4. In the last passage the terms are, *principium, narratio, confirmatio, peroratio*; the *refutatio* of Quintilian being brought under the third. *De Inv.* I. 14. 19, gives *exordium, narratio, partitio, confirmatio, reprehensio, conclusio*. *Exordium* is the word adopted by us for the first part. In the *Brutus*, Cicero seldom refers to the five parts of an oration, very often to the five parts of oratory.

maximarum: cf. *de Or.* I. 5. 19, *cum ex eis rebus universis eloquentia constet, in quibus singulis elaborare permagnum est.*

omnis artes vetustiores habet et multo ante non inventas solum, sed etiam perfectas, quam haec est [a Graecis] elaborata dicendi vis atque copia; in quam cum intueor, maxime mihi occurrunt, Attice, et quasi lucent Athenae tuae, qua in urbe primum se orator extulit primumque etiam monumentis et litteris oratio est coepta mandari.
27 Tamen ante Periolem, cuius scripta quaedam feruntur, et Thucydidem, qui non nascentibus Athenis, sed iam adultis fuerunt, littera nulla est, quae quidem ornatum aliquem habeat et oratoris esse videatur; quamquam opinio est et eum, qui multis annis ante hos fuerit, Pisistratum et paulo seniorem etiam Solonem posteaque Clisthenem multum, ut temporibus illis, valuisse dicendo.
28 Post hanc aetatem aliquot annis, ut ex Atticis monumentis potest perspici, Themistocles fuit, quem constat cum prudentia tum etiam eloquentia praestitisse; post Pericles, qui cum floreret omni genere virtutis, hac tamen fuit laude clarissimus. Cleonem etiam temporibus illis turbulentum illum quidem civem, sed tamen

7. 26. **tuae**: cf. Introd. VI. 1.

se . . . extulit, *appeared* (as a star rises).

monumentis (from *monere*): used not infrequently of written works: cf. 28; 52; 181; *in Verr.* II. 4. 48. 106; Tac. *Agr.* 2. It may here be understood as in *hendiadys* with **litteris**.

27. **feruntur**: a cautious statement. In *de Or.* II. 22. 93, he is less guarded; *antiquissimi fere sunt, quorum quidem scripta constent, Pericles atque Alcibiades et eadem aetate Thucydides.* Quintilian (III. 1. 12), referring to our text, expresses strong doubts as to the genuineness of the Periclean writings. In XII. 2. 22, he declares of Pericles, *cuius eloquentiae . . . nulla ad nos monumenta venerunt*: cf. XII. 10. 49.

ut, = *for*: cf. 41; 102; 107; 162; 173; 294; *de Or.* III. 18. 66; *de Sen.* 4. 12; *ad Att.* IV. 1. 8, *ita sunt res nostrae; ut in secundis, fluxae; ut in adversis, bonae.*

28. **Pericles**: 44; *de Or.* I. 50. 216, *eloquentissimus Athenis Pericles;* Eupolis, in the comedy Δῆμοι, *apud* Plin. *Ep.* I. 20, πρὸς δέ γ' αὐτοῦ τῷ τάχει πειθώ τις ἐπεκάθητο τοῖσι χείλεσιν. οὕτως ἐκήλει, καὶ μόνος τῶν ῥητόρων τὸ κέντρον ἐγκατέλειπε τοῖς ἀκροωμένοις. Cf. 38; *de Or.* III. 34. 138; Aristophanes, *Acharn.* 531, ἤστραπτ', ἐβρόντα, συνεκύκα τὴν Ἑλλάδα; Thuc. II. 65. 6.

eloquentem constat fuisse. Huic aetati suppares Alci- 29
biades, Critias, Theramenes; quibus temporibus quod dicendi genus viguerit ex Thucydidi scriptis, qui ipse tum fuit, intellegi maxime potest: grandes erant verbis, crebri sententiis, compressione rerum breves et ob eam
ipsam causam interdum subobscuri. Sed ut intellectum 8 30
est quantam vim haberet adcurata et facta quodam modo oratio, tum etiam magistri dicendi multi subito exstiterunt: tum Leontinus Gorgias, Thrasymachus Calchedonius, Protagoras Abderites, Prodicus Ceus, Hippias Eleus in honore magno fuit, aliique multi temporibus eisdem docere se profitebantur, adrogantibus sane verbis, quem ad modum causa inferior — ita enim loquebantur — dicendo fieri superior posset.

His opposuit sese Socrates, qui subtilitate quadam 31
disputandi refellere eorum instituta solebat [verbis]. Huius ex uberrimis sermonibus exstiterunt doctissimi viri, primumque tum philosophia non illa de natura, quae fuerat antiquior, sed haec, in qua de bonis rebus et

29. **suppares,** *nearly coeval.*

grandes: 126; 203; 287; *de Or.* II. 82. 337; *Or.* 9. 30; 34. 119.

crebri sententiis: 173; 264; 280: cf. *de Or.* II. 13. 56; II. 22. 93, *sententiis magis quam verbis abundantes.*

8. 30. **quodam modo**: = 'with a certain style'; 149; *de Or.* III. 10. 37; III. 48. 184, *orationem quae quidem sit polita atque facta quodam modo.*

Gorgias, etc.: cf. Quint. III. 1. 8, *Gorgias Leontinus, Empedoclis, ut traditur, discipulus.*

aliique multi: Quintilian names more of the Sophists; but of course there were many of inferior grade of whom we have no account. For the Sophists as a class, see Grote's Greece, Chap. 46 and 55; Grote's Plato, Chap. 19; Curtius's Greece, B. III., Chap. 3; B. V., Chap. 2; and the histories of Greek Literature.

inferior, etc.: cf. Arist. *Rhet.* II. 24. 11, of the claim of Protagoras; Aristoph. *Nub.* 112 sq.

31. **instituta,** *instructions*: 119; *de Off.* I. 1. 1, *praeceptis institutisque philosophiae; de Am.* 4. 13; *Instituta* 269 has hardened more nearly to our meaning of *institution.*

sermonibus, *colloquial discourses*: the Socratic dialogues introduced a new method in philosophy.

doctissimi viri: Plato and the lesser lights.

illa de natura: *i.e.* physics, especially as taught by the Ionic philosophers, Thales, etc.

malis deque hominum vita et moribus disputatur, inventa dicitur. Quod quoniam genus ab hoc, quod proposuimus, abhorret, philosophos aliud in tempus reiciamus; ad oratores, a quibus digressi sumus, revertamur.

32 Exstitit igitur iam senibus illis, quos paulo ante diximus, Isocrates, cuius domus cunctae Graeciae quasi ludus quidam patuit atque officina dicendi; magnus orator et perfectus magister, quamquam forensi luce caruit intraque parietes aluit eam gloriam, quam nemo meo quidem iudicio est postea consecutus. Is et ipse scripsit multa praeclare et docuit alios; et cum cetera melius quam superiores, tum primus intellexit etiam in soluta oratione, dum versum effugeres, modum tamen et
33 numerum quendam oportere servari. Ante hunc enim verborum quasi structura et quaedam ad numerum con-

vita et moribus: *Tusc.* V. 4. 10, *Socrates autem primus philosophiam devocavit e caelo, et in urbibus conlocavit, et in domus etiam introduxit, et coegit de vita et moribus rebusque bonis et malis quaerere; Acad.* I. 4. 15.

abhorret, *is remote from* (our English has not adopted this milder meaning for the verb, and only partially for the adjective): *Rosc. Am.* 24. 68; *de Or.* I. 3. 12.

reiciamus, *put off: ad. Att.* I. 4. 1. That Cicero did not underrate the importance of philosophy for the orator, is shown abundantly in such passages as *Or.* 4. 14; 32. 113 sq.; *de Or.* I. 15. 68: cf. 322.

32. **senibus**: Gorgias, etc.; abl. abs.

ludus: *de Or.* II. 22. 94, *Isocrates . . . cuius e ludo tamquam ex equo Troiano meri principes exierunt.*

officina: *Or.* 13. 40, *domus eius officina habita eloquentiae est;* cf. Quint. XII. 10. 22.

perfectus: Cicero does not say *orator perfectus.* Cf. 35.

luce: cf. 37; Quint. I. 2. 18, *orator, cui in maxima celebritate et in media rei publicae luce vivendum est.*

caruit: but of his own choice; cf. *Tusc.* I. 36. 88.

primus: though Thrasymachus had led the way, *nimis numerose, Or.* 52. 175. Cf. 52. 174; Quint. IX. 4. 87.

soluta oratione, *prose.*

modum . . . et numerum: prose rhythm was much more highly regarded by the ancients than by modern English writers: see, *e.g.*, *Or.* 44. sq.; *de Or.* III. 44 sq.; Quint. IX. 4. 45 sq., 57. That English has receded in this respect may be argued from the versions of the New Testament made in 1611 and 1881.

33. **structura**: in Cicero only figuratively, and the figure so unusual as to need **quasi**: cf. *Or.* 44. 149; *Opt. Gen. Or.* 2. 5:

clusio nulla erat; aut, si quando erat, non apparebat eam
dedita opera esse quaesitam. Quae forsitan laus sit;
verum tamen natura magis tum casuque non numquam,
haud ratione aliqua aut observatione fiebat. Ipsa enim 34
natura circumscriptione quadam verborum comprehendit
concluditque sententiam, quae cum aptis constricta verbis
est, cadit etiam plerumque numerose. Nam et aures
ipsae quid plenum, quid inane sit iudicant et spiritu
quasi necessitate aliqua verborum comprehensio terminatur; in quo non modo defici, sed etiam laborare turpe
est.

Tum fuit Lysias ipse quidem in causis forensibus non 9 35
versatus, sed egregie subtilis scriptor atque elegans, quem
iam prope audeas oratorem perfectum dicere. Nam plane

Quintilian leaves out the qualifying word; *e.g.* VIII. 6. 67; IX. 4. 45.

ad numerum = *rhythmic.*

conclusio: in rhetorical language, a *periodic* structure; Quint. IX. 4. 22, *περίοδον, quae est vel ambitus vel circumductum vel continuatio vel conclusio.*

dedita opera, = 'with special effort.'

quae: attracted in gender to **laus.**

laus: for the meaning *merit*, cf. 112; 133; 140; 258; Verg. *Aen.* I. 461; V. 355.

34. **circumscriptione**: *Or.* 61. 204, *in circuitu illo orationis quem Graeci περίοδον, nos tum ambitum, tum circuitum, tum comprehensionem aut continuationem aut circumscriptionem dicimus;* 61. 207: cf. 33. n.

cadit: *Or.* 50. 168, *cum apte verba cecidissent;* 44. 149; and cf. the Eng. *cadence.*

aures: *Or.* 53. 177, *aures enim vel animus aurium nuntio naturalem quandam in se continet vocum omnium mensionem.* Cf. the strong drift toward rhythm in the early literature of a people; and the tendency of cultivated speech, when impassioned, *e.g.* in Theodore Parker's denunciation of war.

spiritu: cf. *de Or.* III. 47. 182.

in quo: *sc.* **spiritu.**

defici: for pass., cf. *pro Clu.* 65. 184, *mulier . . . consilio et ratione deficitur;* Quint. X. 1. 53; Plin. *Ep.* II. 17. 25. **In** is unusual with **defici**: for **in** with **laborare,** cf. *ad Att.* IV. 1. 3.

9. 35. **Lysias**: cf. 63 sq.

non versatus: he delivered but one oration in court, B.C. 403, against Eratosthenes.

subtilis: cf. *de Or.* III. 7. 28; *Or.* 9. 30; Quint. X. 1. 78: the accompanying adj. points to the meaning *fine*, rather than 'precise' or 'unadorned,' — the three meanings developed from *finely woven;* see Wilkins on *de Or.* I. 5. 17. So the *subtilitas* of Lysias is an artistic and graceful plainness. Cf. Wilk. Introd. *de Or.*, pp. 32, 41.

nam: (the next name needs no such stinted praise) *for*, etc.

quidem perfectum et cui nihil admodum desit Demosthenem facile dixeris. Nihil acute inveniri potuit in eis causis, quas scripsit, nihil, ut ita dicam, subdole, nihil versute, quod ille non viderit; nihil subtiliter dicit, nihil presse, nihil enucleate, quo fieri possit aliquid limatius; nihil contra grande, nihil incitatum, nihil ornatum vel verborum gravitate vel sententiarum, quo quicquam ex-
36 stet elatius. Huic Hyperides proximus et Aeschines fuit et Lycurgus et Dinarchus et is, cuius nulla exstant scripta, Demades, aliique plures. Haec enim aetas effudit hanc copiam; et, ut opinio mea fert, sucus ille et sanguis incorruptus usque ad hanc aetatem oratorum
37 fuit, in qua naturalis inesset, non fucatus nitor. Phalereus enim successit eis senibus adulescens eruditissi-

admodum: cf. 210, where *admodum* precedes *nihil;* the two phrases are alike in meaning, and **admodum** = 'to the *full* limit, absolutely.'

Demosthenem: see Cicero and Quintilian, *passim*. The latter makes slight qualifications of his praise, *e.g.*, in comparing Cicero and Demosthenes, X. 1. 107; also XII. 10. 26, *si quis ad eas Demosthenis virtutes, quas ille summus orator habuit, tamen quae defuisse ei sive ipsius natura seu lege civitatis videntur, adiecerit ut adfectus concitatius moveat.* See also *Or.* 26. 90; 29. 104.

versute: *Or.* 7. 22, *versute ac subtiliter;* 178. n. Both **versute** and **subdole** are guarded (by **ut ita dicam**) against a low meaning.

enucleate: 115; *Or.* 9. 28; picking the nut from the shell, *i.e.* clearly unfolding.

dicit: see textual notes.

ornatum: not on the side of polish, with **limatius**, but on the side of dignity, with **grande** and **elatius.**

36. **Hyperides**: most honorably named with Demosthenes, 138.

Aeschines: 285; 290.

scripta: cf. Quint. II. 17. 13, *neque enim orationes scribere est ausus;* XII. 10. 49.

aetas: cf. Quint. X. 1. 76, *sequitur oratorum ingens manus, ut cum decem simul Athenis aetas una tulerit.* Quintilian follows more explicitly than Cicero the Alexandrian enumeration of Ten Attic Orators, which included, besides those of our text, Antiphon, Andocides, and Isaeus, and did not include Demades, 'who left no writings.'

sucus, *juice: de Or.* II. 21. 88; II. 22. 93; III. 25. 96; *Or.* 23. 76; Quint. X. 1. 31.

sanguis: 68; 283; *ad Att.* IV. 18. 2, *sucum atque sanguinem;* cf. *Or.* 23. 76.

fucatus: cf. 162; *de Am.* 25. 95, *fucata et simulata.*

37. **Phalereus**: cf. 285; also in *Or.* 27. 94 called simply *the Phalerean.*

enim: referring to **usque** (= 'only so far').

mus ille quidem horum omnium, sed non tam armis institutus quam palaestra; itaque delectabat magis Atheniensis quam inflammabat; processerat enim in solem et pulverem, non ut e militari tabernaculo, sed ut e Theophrasti doctissimi hominis umbraculis. Hic 38
primus inflexit orationem et eam mollem teneramque reddidit et suavis, sicut fuit, videri maluit quam gravis; sed suavitate ea, qua perfunderet animos, non qua perfringeret, tantum ut memoriam concinnitatis suae, non, quem ad modum de Pericle scripsit Eupolis, cum delectatione aculeos etiam relinqueret in animis eorum, a quibus esset auditus.

Videsne igitur vel in ea ipsa urbe, in qua et nata et 10 39
alta sit eloquentia, quam ea sero prodierit in lucem? si quidem ante Solonis aetatem et Pisistrati de nullo ut diserto memoriae proditum est. At hi quidem, ut populi Romani aetas est, senes, ut Atheniensium saecula numerantur, adulescentes debent videri; nam etsi Servio Tullio regnante viguerunt, tamen multo diutius Athenae iam

palaestra: *i.e.* oratorical exercises; opposed to **armis**, *i.e.* actual encounter; cf. *de Or.* I. 18. 81, *palaestrae magis et olei quam huius civilis turbae ac fori; Or.* 13. 42.

Theophrasti: cf. 172; Quint. III. 1. 15, *Theophrastus quoque, Aristotelis discipulus, de rhetorice diligenter scripsit.*

umbraculis, *school: de Leg.* III. 6. 14, *a Theophrasto Phalereus ille Demetrius . . . mirabiliter doctrinam ex umbraculis eruditorum otioque non modo in solem atque in pulverem, sed in ipsum discrimen aciemque produxit.*

38. **inflexit**, *altered;* how, is immediately told: cf. Quint. X. 1. 80.

suavis . . . gravis: cf. 186; *de Or.* III. 25. 96; *Or.* 50. 168.

perfunderet, *suffuse* (as *perfuse* is rarely used); cf. 188; *ad Att.* VIII. 6. 3, *qui me horror perfudit!*

perfringeret: *Or.* 28. 97, where *perfringit* is contrasted with *irrepit in* (*sensus*).

tantum ut = *dummodo:* cf. *pro Flac.* 28. 66, *tantum ut iudices audiant.*

Eupolis: 28. n.

10. 39. **videsne**: though oftenest neutral, **-ne** looks sometimes toward yes or no, and in the former case is usually appended to the verb; M. 451 *a*; G. 456, R. 1.

alta: the regular supine form of this verb in Cicero; *alitum* was later (for an exception, see *pro Planc.* 33. 81).

senes, *old-time men*, reckoned according to the age of the Roman state: cf. 49; 69.

erant quam est Roma ad hodiernum diem. Nec tamen dubito quin habuerit vim magnam semper oratio.
40 Neque enim iam Troicis temporibus tantum laudis in dicendo Ulixi tribuisset Homerus et Nestori, quorum alterum vim habere voluit, alterum suavitatem, nisi iam tum esset honos eloquentiae, neque ipse poeta hic tam idem ornatus in dicendo ac plane orator fuisset; cuius etsi incerta sunt tempora, tamen annis multis fuit ante Romulum, si quidem non infra superiorem Lycurgum fuit, a quo est disciplina Lacedaemoniorum astricta legi-
41 bus. Sed studium eius generis maiorque vis agnoscitur in Pisistrato. Denique hunc proximo saeculo Themistocles insecutus est, ut apud nos perantiquus, ut apud Atheniensis non ita sane vetus. Fuit enim regnante

nec tamen: *i.e.* though orators were so late a product in Greece.

40. **Ulixi**: *Il.* III. 216 sq.

Nestori: *Il.* I. 247 sq.; cf. Tac. *Dial.* 16.

esset: imperf. for a continuing fact: cf. 238. n.; M. 347 *b.* (2).

plane: 221; 250. An adverb may accompany a noun which has an adjective character, — in apposition, or (as here) a predicate: cf. Juv. I. 1, *auditor tantum* (sc. *ero* or *sim*); III. 34, *quondam hi cornicines; 72, quintum consule.* But it is occasionally found also with nouns of a strictly substantive character: *e.g.* Ter. *Andr.* 175, *eri semper lenitas; de Off.* II. 6. 20, *saepe civium expulsiones;* Verg. *Aen.* I. 198, *ante malorum;* III. 489, *sola mei super Astyanactis imago.* Cf. 250, *plane virum;* such collocations as *pro Mil.* 17. 46, *cuius iam pridem testimonio;* and the well-known Greek construction. See Whitney's *Essent. of English Gram.*, 203 and 382; cf. 1 Tim. V. 23, 'thine often infirmities.'

orator: Quint. X. 1. 46, *hic enim . . . omnibus eloquentiae partibus exemplum et ortum dedit.*

infra: very rare in the time sense; cf. adverbial use, Quint. I. 7. 20.

superiorem: Fleckeisen (*Jahrb.* 127, p. 210) quotes *de Rep.* II. 10. 18, *centum et octo annis postquam Lycurgus leges scribere instituit, prima posita est Olympias, quam quidam nominis errore ab eodem Lycurgo constitutam putant;* cf. Plut. *Lyc.* 1.

astricta: fit word for the rigid Spartan *règime* (**disciplina**); Quint. II. 2. 4.

41. **perantiquus**: cf. 39.

regnante: referring to the commanding influence of Greece after the Persian war.

non ita pridem: 137; 244; Hor. *A. P.* 254. *Ita* is sometimes used with no expressed correlative, = 'in a high degree': cf. the Eng. *so*, in 'he is so good,' 'I am so sorry.' This *ita* is often combined with a negative: cf. **non ita sane vetus,** just above.

iam Graecia, nostra autem civitate non ita pridem dominatu regio liberata. Nam bellum Volscorum illud gravissimum, cui Coriolanus exsul interfuit, eodem fere tempore quo Persarum bellum fuit; similisque fortuna
clarorum virorum, si quidem uterque cum civis egregius 42
fuisset, populi ingrati pulsus iniuria se ad hostis contulit conatumque iracundiae suae morte sedavit. Nam etsi aliter est apud te, Attice, de Coriolano, concede tamen ut huic generi mortis potius adsentiar.'

At ille ridens 'Tuo vero,' inquit, 'arbitratu; quoniam 11
quidem concessum est rhetoribus ementiri in historiis, ut aliquid dicere possint argutius. Ut enim tu nunc de Coriolano, sic Clitarchus, sic Stratocles de Themistocle
finxit. Nam quem Thucydides, qui et Atheniensis erat 43
et summo loco natus summusque vir et paulo aetate posterior, tantum *morbo* mortuum scripsit et in Attica clam humatum addidit*que* fuisse suspicionem veneno sibi conscivisse mortem, hunc isti aiunt, cum taurum immolavisset, excepisse sanguinem patera et eo poto mortuum concidisse. Hanc enim mortem rhetorice et tragice ornare potuerunt, illa mors volgaris nullam praebebat

interfuit: B.C. 489.

eodem fere tempore: Marathon, B.C. 490.

similisque fortuna: Themistocles and Coriolanus are brought together, also, *de Am.* 12. 42; cf. *ad Att.* IX. 10. 3.

42. **apud te**: in the *Annalis;* cf. 13.

conatum: the Eng. derivative *conative*, a recognized term in philosophy, is acquiring also a place in grammar.

11. ementiri: in the milder sense, like **finxit** below.

argutius, *more racily:* cf. 53; *Or.* 28. 98.

Clitarchus . . . Stratocles: two writers of no good repute, contemporaries of Alexander.

43. **Thucydides**: I. 138. 5, *νοσήσας δὲ τελευτᾷ τὸν βίον*, etc.

paulo: one reason for his being more trustworthy.

morbo: added by B. & K. *et al.*, to match the participle in the above quotation from the Greek.

sibi conscivisse mortem: a common phrase; the verb = to *adjudge*, and with reflex. dat. to *inflict*. Cf. *sciscere*, and *scitum* in *plebiscitum*.

isti: contemptuous use; cf. R. 2259.

materiem ad ornandum. Qua re quoniam tibi ita quadrat omnia fuisse Themistocli paria et Coriolano, pateram quoque a me sumas licet; praebebo etiam hostiam, ut
44 Coriolanus sit plane alter Themistocles.' 'Sit sane,' inquam, 'ut libet, de isto; et ego cautius posthac historiam attingam te audiente, quem rerum Romanarum auctorem laudare possum religiosissimum. Sed tum fere Pericles, Xanthippi filius, de quo ante dixi, primus adhibuit doctrinam; quae quamquam tum nulla erat dicendi, tamen ab Anaxagora physico eruditus exercitationem mentis a reconditis abstrusisque rebus ad causas forensis popularisque facile traduxerat. Huius suavitate maxime hilaratae Athenae sunt; huius ubertatem et copiam admiratae eiusdem vim dicendi terroremque timuerunt.

12
45 Haec igitur aetas prima Athenis oratorem prope perfectum tulit. Nec enim in constituentibus rem publicam nec in bella gerentibus nec in impeditis ac regum dominatione devinctis nasci cupiditas dicendi solet; pacis est comes otiique socia et iam bene constitutae civitatis
46 quasi alumna quaedam eloquentia. Itaque ait Aristoteles, cum sublatis in Sicilia tyrannis res privatae longo

tibi . . . quadrat (squares with =) *suits you.*

paria, *on a par;* but these particular incidents are not related of Coriolanus.

hostiam: cf. **taurum** above.

44. **isto**: sc. **Coriolano.**

religiosissimum: *in Vatin.* I. 1, *religiosum testem; pro Caecin.* 10. 26. The word means *conscientiously exact.*

sed goes back to 41.

dicendi, *of oratory* as an art: *Part. Orat.* I. 3, *omnis doctrina dicendi.*

eruditus: cf. *Or.* 4. 15; Quint. XII. 2. 22.

hilaratae sunt: cf. 197.

terrorem: cf. 28. n.; *Or.* 9. 29.

12. 45. **in bella gerentibus** = the more frequent form, *in eis qui bella gerunt:* for order of words, cf. M. 469 (2).

in impeditis: *e.g.* there was a collapse of eloquence after Cicero's time, under the Empire. Quintilian revived its body, but could not give it soul.

pacis: cf. *de Or.* II. 8. 33, *ut usum dicendi omittam, qui in omni pacata et libera civitate dominatur;* I. 8. 30; I. 4. 14.

46. **Aristoteles,** in his *τεχνῶν συναγωγή*: cf. *de Or.* II. 38. 160, *librum in quo exposuit dicendi artis omnium superiorum.*

intervallo iudiciis repeterentur, tum primum [quod esset acuta illa gens et controversa natura,] artem et praecepta Siculos Coracem et Tisiam conscripsisse. Nam antea neminem solitum via nec arte, sed adcurate tamen et de scripto plerosque dicere. Scriptasque fuisse et paratas a Protagora rerum inlustrium disputationes, quae nunc communes appellantur loci. Quod idem fecisse 47
Gorgiam, quem singularum rerum laudes vituperationesque conscripsisse, quod iudicaret hoc oratoris esse maxime proprium, rem augere posse laudando vituperandoque rursus adfligere. Huic Antiphontem Rhamnusium similia quaedam habuisse conscripta; quo neminem umquam melius ullam oravisse capitis causam, cum se ipse defenderet, se audiente, locuples auctor scripsit Thucydides. Nam Lysiam primo profiteri solitum artem [esse] 48
dicendi; deinde, quod Theodorus esset in arte subtilior, in orationibus autem ieiunior, orationes eum scribere aliis

tyrannis: Thrasydaeus was driven from Agrigentum B.C. 472; Thrasybulus from Syracuse B.C. 466.

longo intervallo: here = '*after* a long interval' of time; cf. *ad Fam.* XV. 14. 2, *ut te . . . tanto intervallo viderem; Or.* 66. 222.

iudiciis: in regular courts of justice, overridden, but now restored.

repeterentur, *were reclaimed.*

acuta: cf. *in Verr.* II. 4. 43. 95, *numquam tam male est Siculis, quin aliquid facete et commode dicant;* II. 3. 8. 20; *Tusc.* I. 8. 15; Quint. VI. 3. 41.

Coracem et Tisiam: named together, and disparagingly, by Antonius, *de Or.* I. 20. 91.

via, *method:* without adj.; cf. R. 1236; *Or.* 33. 116, *in omnibus quae ratione docentur et via; de Fin.* I. 9. 29; cf. Quint. II. 17. 41.

de scripto: the opposite of *sine scripto;* cf. 301.

communes loci: *de Inv.* II. 15. 48, *haec ergo argumenta, quae transferri in multas causas possunt, locos communis nominamus; de Or.* III. 27. 106; *Or.* 36. 126; Quint. II. 4. 22.

47. **laudes vituperationesque**: Quint. III. 4. 5.

adfligere, *dash down.*

huic: dat. of compendious comparison; cf. *de Off.* I. 30. 105, *quantum natura hominis pecudibus reliquisque beluis antecedat; de Or.* I. 4. 15.

causam: cf. Quint. III. 1. 11.

Thucydides: VIII. 68.

48. **nam**: (Lysias is not to be accounted a technical writer on rhetoric,) *for* it was only at first that he professed, etc.: cf. Pid.

eum = **Lysiam.**

coepisse, artem removisse. Similiter Isocratem primo artem dicendi esse negavisse, scribere autem aliis solitum orationes, quibus in iudiciis uterentur; sed cum ex eo, quia quasi committeret contra legem QUO QUIS IUDICIO CIRCUMVENIRETUR, saepe ipse in iudicium vocaretur, orationes aliis destitisse scribere totumque se ad artis com-
13 49 ponendas transtulisse. Et Graeciae quidem oratorum partus atque fetus vides, ad nostrorum annalium rationem veteres, ad ipsorum sane recentis; nam ante quam delectata est Atheniensium civitas hac laude dicendi, multa iam memorabilia et in domesticis et in bellicis rebus effecerat. Hoc autem studium non erat commune
50 Graeciae, sed proprium Athenarum. Quis enim aut

similiter . . . primo: cf. **primo** above.

quasi: to intimate that the Roman law is referred to only by way of illustration; cf. 63.

contra legem: sometimes *in legem*, or *lege*. The law referred to was one of the *leges Semproniae* proposed by C. Gracchus, B.C. 123, and was renewed by Sulla, B.C. 82, in the *lex Cornelia de sicariis*: cf. *pro Clu.* 55. 151.

vocaretur: Ell. remarks that this part of Cicero's account is taken from writers ignorant of the Attic custom; and he refers to Quint. II. 15. 30, *Socrates inhonestam sibi credidit orationem, quam ei Lysias reo composuerat, et tum maxime scribere litigatoribus, quae illi pro se ipsi dicerent, erat moris, atque ita iuri, quo non licebat pro altero agere, fraus adhibebatur.* Cf. Spalding's note on the passage. At Athens, at first, one could not employ an advocate, unless himself disabled from pleading his own case. But it became customary to procure help from some trained lawyer and orator, who would compose an address for the litigant; and the next step was to ask permission for a friend to continue the argument begun by the litigant. Thus it is supposed that Ctesiphon said something for himself, though we have no record of it, in the trial immortalized by Demosthenes. See Felton's *Greece*, II. 123; Mahaffy's *Gr. Lit.* II. 137; D'Ooge's *Dem. on the Crown*, Pref.

se . . . transtulisse = 'turned his attention.'

artis: *i.e.* treatises containing instructions and illustrative exercises; cf. Juv. VII. 177, *artem scindes Theodori*.

13. 49. **fetus**: 182.

rationem: this Protean word has here its primary meaning.

Athenarum: *de Or.* I. 4. 13, *Athenas, in quibus summa dicendi vis et inventa est et perfecta;* Vell. I. 18, *una urbs Attica pluribus annis eloquentiae quam universa Graecia operibusque floruit.* Oratorically, Athens stands for Greece. If Athens had not existed, would the Romans be overshadowed by the Greeks?

Argivum oratorem aut Corinthium aut Thebanum scit fuisse temporibus illis? nisi quid de Epaminonda docto homine suspicari libet. Lacedaemonium vero usque ad hoc tempus audivi fuisse neminem. Menelaum ipsum dulcem illum quidem tradit Homerus, sed pauca dicentem. Brevitas autem laus est interdum in aliqua parte dicendi, in universa eloquentia laudem non habet. At 51
vero extra Graeciam magna dicendi studia fuerunt maximique huic laudi habiti honores inlustre oratorum nomen reddiderunt. Nam ut semel e Piraeeo eloquentia evecta est omnis peragravit insulas, atque ita peregrinata tota Asia est ut se externis oblineret moribus omnemque illam salubritatem Atticae dictionis et quasi sanitatem perderet ac loqui paene dedisceret. Hinc Asiatici oratores non contemnendi quidem nec celeritate nec copia, sed parum pressi et nimis redundantes. Rhodii saniores et Atticorum similiores. Sed de Graecis hactenus; 52
etenim haec ipsa forsitan fuerint non necessaria.'

Tum Brutus: 'Ista vero,' inquit, 'quam necessaria fuerint non facile dixerim; iucunda certe mihi fuerunt

50. **Argivum**: the people of Argos, like those of Sparta, were noted for curtness of speech.

Epaminonda: cf. Nep. *Epam.* 5, *fuit etiam disertus, ut nemo ei Thebanus par esset eloquentia.*

Lacedaemonium: cf. Tac. *D.* 40.

Menelaum: *Il.* III. 214.

brevitas: *de Or.* II. 80. 326, *si brevitas appellanda est, cum verbum nullum redundat, brevis est L. Crassi oratio; sin tum est brevitas, cum tantum verborum est quantum necesse est, aliquando id opus est, sed saepe obest;* Quint. VIII. 2. 19; IV. 2. 43; Plin. *E.* I. 20.

51. **laudi**, *distinction.*

Piraeeo: cf. *ad Att.* VII. 3. 10.

insulas: cf., *e.g.*, *de Or.* III. 56. 213, of Æschines at Rhodes; Quint. XII. 10. 19.

salubritatem, '*healthy vigor.*'

sanitatem, *soundness*: 284; *Opt. Gen. Or.* 3. 8.

dedisceret: 171; cf. 316. n., and the analogous *dedocere*: **loqui** takes a meaning from the more formal **eloquentia**; cf. 212. n.

Asiatici: 325; Quint. XII. 10. 16, *et antiqua quidem illa divisio inter Atticos atque Asianos fuit, cum hi pressi et integri, contra inflati illi et inanes haberentur; in his nihil superflueret, illis iudicium maxime ac modus deesset.*

Rhodii: Quint. XII. 10. 18, *tertium mox, qui haec dividebant, adiecerunt genus Rhodium, quod*

neque solum non longa, sed etiam breviora quam vellem.' 'Optime,' inquam; 'sed veniamus ad nostros, de quibus difficile est plus intellegere quam quantum ex monu-
14 53 mentis suspicari licet. Quis enim putet aut celeritatem ingenii L. Bruto illi nobilitatis vestrae principi defuisse? qui de matre savianda ex oraculo Apollinis tam acute arguteque coniecerit; qui summam prudentiam simulatione stultitiae texerit; qui potentissimum regem clarissimi regis filium expulerit civitatemque perpetuo dominatu liberatam magistratibus annuis, legibus, iudiciisque devinxerit; qui conlegae suo imperium abrogaverit, ut e civitate regalis nominis memoriam tolleret; quod certe
54 effici non potuisset, nisi esset oratione persuasum. Videmus item paucis annis post reges exactos, cum plebes prope ripam Anienis ad tertium miliarium consedisset

velut medium esse atque ex utroque mixtum volunt: neque enim Attice pressi neque Asiane sunt abundantes. But see Introd. VII. 3.

52. **optime,** *very well;* sc. **facis** or **dicis**: = 'I thank you very kindly.'

monumentis: 26. n.

14. 53. **aut**: anacoluthon, the succeeding clauses leading to a change of construction. Cf. *Or.* 69. 229.

Bruto: cf. *de Or.* I. 9. 37; Liv. I. 56.

principi: cf. *Tusc.* IV. 1. 2, *praeclarus auctor nobilitatis tuae.* The descent of the tyrannicide from the king-expeller has been controverted, on the ground that L. Junius Brutus was a patrician; but Niebuhr contends that he was a plebeian. The later family would, in any case, be likely (*more Romano*) to assert this illustrious descent. Cf. 62. n.

savianda: the form *suaviari,* preferred in the Lex., points to the derivation.

oraculo: Liv. I. 56, *imperium summum Romae habebit qui vestrum primus, o iuvenes, osculum matri tulerit.*

coniecerit: Liv. I. 56, *Brutus alio ratus spectare Pythicam vocem, velut si prolapsus cecidisset, terram osculo contigit, scilicet quod ea communis mater omnium mortalium esset.*

annuis: too frequent a change for the Romans (and for Americans). The best that can be said for it is that it enabled many aspiring men to reach the goal of their ambition. The double consulate made double room.

abrogaverit, *took away: de Off.* III. 10. 40. The dat. has a range sufficiently wide to include certain relations usually expressed, from a different point of view, by the ablative.

54. **paucis**: B.C. 494, 16 years after the expulsion of the kings. This was the *first* secession of the plebs.

eumque montem, qui Sacer appellatus est, occupavisset,
M. Valerium dictatorem dicendo sedavisse discordias,
eique ob eam rem honores amplissimos habitos et eum
primum ob eam ipsam causam Maximum esse appella-
tum. Ne L. Valerium quidem Potitum arbitror non
aliquid potuisse dicendo, qui post decemviralem invidiam
plebem in patres incitatam legibus et contionibus suis
mitigaverit. Possumus Appium Claudium suspicari diser- 55
tum, quia senatum iamiam inclinatum a Pyrrhi pace
revocaverit; possumus C. Fabricium, quia sit ad Pyr-
rhum de captivis reciperandis missus orator; Ti. Corun-
canium, quod ex pontificum commentariis longe pluri-
mum ingenio valuisse videatur; M.' Curium, quod is
tribunus plebis, interrege Appio Caeco diserto homine
comitia contra leges habente, cum de plebe consulem

post reges exactos: cf. 224; *Tusc.* I. 1. 3, *ante Romam conditam*; Liv. *Praef.*, *ante conditam condendamve urbem*.

Sacer: so called after this secession, in commemoration of the treaty there made and sacredly ratified (*sancire*); cf. Merivale's Rome, chap. 6.

dictatorem: from *dicere*, with which it is here coupled.

dicendo: it required more than eloquence. 'Tribunes of the plebs' were conceded, who were to be *sacrosancti*; Liv. II. 33. Cicero does not follow the same account as Livy (II. 32), who makes Menenius Agrippa, *facundum virum*, the effective spokesman of the Senate. But cf. Valer. Max. VIII. 9. 1, *nisi Valerii subvenisset eloquentia, spes tanti imperii in ipso paene ortu suo corruisset.*

invidiam: giving rise to the second secession of the plebs, B.C. 449. For the meaning (*odium*), cf. *pro Clu. passim.*

mitigaverit: cf. Liv. III. 49 and 53.

55. **revocaverit**, B.C. 280: cf. *de Sen.* 6. 16.

orator = *ambassador*: Verg. *Aen.* VII. 153, *centum oratores augusta ad moenia regis ire iubet*; but also *spokesman* of an embassy, so that Cicero's inference here is a fair one, aside from the etymological presumption. Cf. *de Or.* I. 46. 202; Liv. VI. 1.

commentariis, *records*, 'containing rules of religious ceremonial, but incidentally also historical statements': Seeley's Livy, p. 13. Cf. 164. n.

valuisse: cf. *de Sen.* 6. 15; 9. 27; *de Or.* III. 33. 134.

tribunus: B.C. 298.

interrege: Livy says of this *interregnum* (X. 11), *nec traditur causa.*

diserto: this makes an argument *a fortiori.*

contra leges: the *interrex* held office for only five days, and the

non accipiebat, patres ante auctores fieri coegerit, quod
56 fuit permagnum nondum lege Maenia lata. Licet aliquid etiam de M. Popilii ingenio suspicari, qui cum consul esset eodemque tempore sacrificium publicum cum laena faceret, quod erat flamen Carmentalis, plebi contra patres concitatione et seditione nuntiata, ut erat laena amictus, ita venit in contionem, seditionemque cum auctoritate tum oratione sedavit. Sed eos oratores habitos esse aut omnino tum ullum eloquentiae praemium fuisse nihil sane mihi legisse videor: tantummodo coniectura ducor ad suspicandum.

57 Dicitur etiam C. Flaminius, is qui tribunus plebis legem de agro Gallico et Piceno viritim dividundo tulit, qui

first appointed was not to hold the *comitia*. Some annotators make the illegality consist only in the refusal to allow a plebeian to be voted for; but the connection is close with *holding* the *comitia;* and **accipiebat** would be in the subjunctive.

non accipiebat, as presiding officer. This rejection was certainly *contra leges*, as the Licinian law (B.C. 367) provided that one consul should be a plebeian.

ante auctores: cf. Liv. I. 17, *priusquam populus suffragium ineat, in incertum comitiorum eventum patres auctores fiunt.*

coegerit: this fact rests chiefly on the authority of our text. Livy (X. 11) says, *interreges fuere Ap. Claudius, dein P. Sulpicius: is comitia consularia habuit.*

Maenia: B.C. 287; referred to by Livy, I. 17, l.c. One of the Publilian laws, B.C. 339, had, according to Niebuhr and Arnold, abrogated the veto of the *comitia* of the *curiae*,—*ut legum quae comitiis centuriatis ferrentur ante initum suffragium patres auctores fierent*, Liv. VIII. 12,—where *patres* is held to mean the patrician *curiae*. The Maenian (or Hortensian) law extended the same provision to the Senate. Others make the earlier provision extend only to laws, the latter to elections also.

56. **Carmentalis**: cf. *Carmentis: carmen* in the sense of prophecy.

plebi: one of the four forms of gen. of *e*-stems; R. 357; M. 56. 5: in most of such words, in classical times, *i*, *e*, *ei* were used indifferently; R. *Sch.* 107: cf. *Rosc. Am.* 45. 131, *pernicii causa;* Verg. *Aen.* I. 636, *munera laetitiamque dii;* 59; 288.

laena, *i.e.* sacrificial cloak. **cum**, *i.e.* wearing; cf. Cic. *Verr.* II. 4. 54, *in hac officina maiorem partem diei cum tunica pulla sedebat.*

57. **tribunus**: B.C. 232; *de Sen.* 4. 11 seems to put it 228.

Gallico: on the Adriatic, northwest of the Picene territory; the Gallic Senones had been driven thence.

dividundo: *de Sen.* 4. 11. This older gerundive form, sometimes found as here, was regularly retained in certain law phrases.

consul apud Trasumenum est interfectus, ad populum valuisse dicendo. Q. etiam Maximus Verrucosus orator habitus est temporibus illis et Q. Metellus, is qui bello Punico secundo cum L. Veturio Philone consul fuit. Quem vero exstet et de quo sit memoriae proditum eloquentem fuisse et ita esse habitum, primus est M. Cornelius Cethegus, cuius eloquentiae est auctor et idoneus quidem mea sententia Q. Ennius, praesertim cum et ipse eum audiverit et scribat de mortuo; ex quo nulla suspicio est amicitiae causa esse ementitum. Est igitur 58
sic apud illum in nono, ut opinor, annali:

additur orator Corneliu' suaviloquenti
ore Cethegus Marcu' Tuditano conlega
Marci filius . . . . .

Et oratorem appellat et suaviloquentiam tribuit, quae nunc quidem non tam est in plerisque; latrant enim iam

interfectus: B.C. 217.
ad: cf. 80; 289.
Maximus: the famous Fabius Cunctator.
consul: B.C. 206.
15. exstet: rarely impersonal; cf. *de Or.* I. 16. 72, *apparet atque exstat, utrum simus earum rudes an didicerimus.* Subjunc. in a restrictive clause. Cf. 65; 180; 265; *Tusc.* I. 16. 38, *quod litteris exstet.*
auctor, = 'an authority for.'
idoneus: Quint. I. 4. 20; II. 4. 42.
58. **annali**: in the 18 books of his Annals, Ennius first naturalized the hexameter in Latin poetry; these lines show how far it was from the Vergilian smoothness. The dislocation of the proper name is greater than in any prose example: cf. 10. n.
Corneliu': on the early elision of *s*, cf. *Or.* 48. 161, *quod iam subrusticum videtur, olim autem politius.*
Tuditano: close to the dat. use in phrases where there is a substantive verb; *e.g.* 286; *pro Mur.* 9. 20, *legatus L. Lucullo fuit; ad Fam.* XIII. 26. 2; without the verb, *Som. Scip.* I. I, *Manilio . . . tribunus militum;* Lucr. I. 58; Verg. *Aen.* III. 305, *causam lacrimis;* IX. 223, *comes Niso;* X. 203, *caput populis;* XI. 361; XI. 542; XI. 789; Tac. *Hist.* I. 89, *longo bello materia;* III. 66. Without the verb, it approaches the gen. use. Cf. the old English phrase, 'son to the king.' Some editions place **Tuditano** last in the verse.
conlega: B.C. 206; Liv. XXIX. II. They were previously censors together, B.C. 209; Liv. XXVII. II and 36.
non tam (*i.e.* as is requisite): cf. 174; *ad Fam.* VI. 7. I.
latrant: *de Or.* III. 34. 138; Quint. XI. 3. 31.

quidam oratores, non loquuntur. Sed est ea laus eloquentiae certe maxima:

is dictust ollis popularibus olim,
qui tum vivebant homines atque aevum agitabant,
flos delibatus populi,

59 (probe vero; ut enim hominis decus ingenium, sic ingenii ipsius lumen est eloquentia, qua virum excellentem praeclare tum illi homines florem populi esse dixerunt;)

Suadaeque medulla.

Πειθὼ quam vocant Graeci, cuius effector est orator, hanc Suadam appellavit Ennius; eius autem Cethegum medullam fuisse volt, ut, quam deam in Pericli labris scripsit Eupolis sessitavisse, huius hic medullam nos-
60 trum oratorem fuisse dixerit. At hic [Cethegus] consul cum P. Tuditano fuit bello Punico secundo quaestorque his consulibus M. Cato, modo plane annis CXL ante me consulem, et id ipsum nisi unius esset Ennii testimonio cognitum, hunc vetustas, ut alios fortasse multos, oblivione obruisset. Illius autem aetatis qui sermo fuerit ex Naevianis scriptis intellegi potest; his enim consulibus, ut in veteribus commentariis scriptum est, Naevius est mortuus; quamquam Varro noster diligentissimus investi-

ollis, olim: from the same stem; with **ollis popularibus**, cf. **illi homines** below.

delibatus, *culled*, *choicest*: cf. Plaut. *Cas. prol.* 18, *flos poetarum*.

59. **Suadae**: *de Sen.* 14. 50; Quint. II. 15. 4; Hor. *Ep.* I. 6. 38 has *Suadela*.

effector: cf. Plat. *Gorg.* 453 A, δημιουργός; Quint. II. 15. 4, *opifex*.

Pericli: 28. n.; 56. n.

sessitavisse: very rare.

60. **consul**: 58. n.

plane = 'in round numbers.'

me consulem: B.C. 63.

scriptis: in exile, at Utica, Nævius wrote the first Roman Epic, on the first Punic war. It was in Saturnian verse. He had previously brought out dramas, mostly translations from the Greek. Cf. *de Or.* III. 12. 45, *Laeliam ... sic audio, ut Plautum mihi aut Naevium videar audire; sono ipso vocis ita recto et simplici est, ut nihil ostentationis aut imitationis adferre videatur.*

veteribus: cf. 72.

mortuus: B.C. 204; others put it later, even by 10 years.

Varro: 205. One of his very

gator antiquitatis putat in hoc erratum vitamque Naevii
producit longius. Nam Plautus P. Claudio L. Porcio
viginti annis post illos, quos ante dixi, consulibus mor-
tuus est, Catone censore.

Hunc igitur Cethegum consecutus est aetate Cato, 61
qui annis IX post eum fuit consul. Eum nos ut perve-
terem habemus, qui L. Marcio M.' Manilio consulibus
mortuus est, annis LXXXVI ipsis ante me consulem. Nec **16**
vero habeo quemquam antiquiorem, cuius quidem scripta
proferenda putem, nisi quem Appii Caeci oratio haec
ipsa de Pyrrho et non nullae mortuorum laudationes forte
delectant. Et hercules hae quidem exstant; ipsae enim 62
familiae sua quasi ornamenta ac monumenta servabant et
ad usum, si quis eiusdem generis occidisset, et ad memo-
riam laudum domesticarum et ad inlustrandam nobilita-
tem suam. Quamquam his laudationibus historia rerum
nostrarum est facta mendosior; multa enim scripta sunt
in eis quae facta non sunt, falsi triumphi, plures consu
latus, genera etiam falsa et ad plebem transitiones, cum

numerous works was *de Poetis Libri*.

investigator: *investigare* = 'to track out.' Cf. *Nat. D.* II. 63. 158, *canum . . . tam incredibilis ad investigandum sagacitas narium*.

Plautus: an acknowledged contemporary of Nævius.

61. **consecutus est**, *came after*.

M'. Manilio: asyndeton is especially frequent in noting consular years. Cf. 60; 73; 78; *et al.*

mortuus: B.C. 149.

ipsis = *exactly*; cf. 161, *triennio ipso*; *ad Att.* III. 21, *triginta dies erant ipsi*.

16. scripta: *i.e.* properly oratorical writings.

laudationes: Cicero elsewhere refers to the oratorical inferiority of *laudationes*; *de Or.* II. 84. 341; II. 11. 47.

62. **exstant**: *e.g.* as of Fabius Maximus upon his son, *de Sen.* 4. 12; and of Q. Metellus upon his father, Plin. *N. H.* VII. 43. 139.

mendosior: cf. Liv. VIII. 40, *vitiatam memoriam funebribus laudibus reor falsisque imaginum titulis, dum familiae ad se quaeque famam rerum gestarum honorumque fallenti mendacio trahunt: inde certe et singulorum gesta et publica monumenta rerum confusa*. The 'confusion' was easier as reliable history was of so late growth at Rome. Cf. pref. to Seeley's Livy.

genera: 212; 331.

ad plebem: as when the patrician Clodius so laboriously gained

homines humiliores in alienum eiusdem nominis infunde-
rentur genus; ut si ego me a M.' Tullio esse dicerem,
qui patricius cum Servio Sulpicio consul anno decimo
63 post exactos reges fuit. Catonis autem orationes non
minus multae fere sunt quam Attici Lysiae, cuius arbi-
tror plurimas esse; (est enim Atticus, quoniam certe
Athenis est et natus et mortuus et functus omni civium
munere; quamquam Timaeus eum quasi Licinia et
Mucia lege repetit Syracusas;) et quodam modo est
non nulla in his etiam inter ipsos similitudo: acuti sunt,
elegantes, faceti, breves. Sed ille Graecus ab omni laude
64 felicior; habet enim certos sui studiosos, qui non tam
habitus corporis opimos quam gracilitates consectentur,
quos, valetudo modo bona sit, tenuitas ipsa delectat;
quamquam in Lysia sunt saepe etiam lacerti, sic ut fieri
nihil possit valentius; verum est certe genere toto stri-

adoption into a plebeian family, from political and personal motives. Such **transitiones** were falsified that families now plebeian might claim descent from illustrious patricians; the **humiliores** would thus gain new repute.

infunderentur: *ad Fam.* IX. 15. 2.

a M'. Tullio: cf. *Tusc.* I. 16. 38, *meo regnante gentili* [*Ser. Tullio*]; and *Top.* 6. 29.

consul: B.C. 500.

63. **Catonis**: returning from the digression in 61.

plurimas: 425 orations were ascribed to Lysias, and the old critics accounted 230 genuine; 34 remain.

quasi: 48. n.

lege: B.C. 95, secured by the consuls L. Licinius Crassus and Q. Mucius Scævola, against false claimants of Roman citizenship; they were remanded to their own states. So the historian demands (**repetit**) the restoration of Lysias to Syracuse, whence his father had removed to Athens. Lysias never gained a full civil *status* at Athens.

ab = 'on the side of, as object of.'

felicior: Cato was now neglected; 65.

64. **certos**: cf. 284 sq.; Introd. VII. 4.

opimos: 271; cf. 36; 68; *Or.* 8. 25, *opimum et tamquam adipatae dictionis genus.* The corporeal representation of oratory is here carried to the extreme. Cf. Quint. VIII. *Pro.* 22, *eloquentia . . . quae si toto corpore valet, unguis polire et capillum reponere non existimabit ad curam suam pertinere;* Tac. *Dial.* 21.

gracilitates: cf. Quint. XII. 10. 24.

tenuitas: cf. *Opt. Gen. Or.* 3. 9.

lacerti: Quint. X. 1. 77, [*Aeschines*] *carnis tamen plus habet, minus lacertorum.*

gosior; sed habet tamen suos laudatores, qui hac ipsa eius subtilitate admodum gaudeant.

Catonem vero quis nostrorum oratorum, qui quidem 17 65
nunc sunt, legit? aut quis novit omnino? At quem virum, di boni! mitto civem aut senatorem aut imperatorem; oratorem enim hoc loco quaerimus. Quis illo gravior in laudando? acerbior in vituperando? in sententiis argutior? in docendo edisserendoque subtilior? Refertae sunt orationes amplius centum quinquaginta, quas quidem adhuc invenerim et legerim, et verbis et rebus inlustribus. Licet ex his eligant ea quae notatione et laude digna sint: omnes oratoriae virtutes in eis reperientur. Iam vero Origines eius quem florem 66
aut quod lumen eloquentiae non habent? Amatores huic desunt, sicuti multis iam ante saeculis et Philisto Syracusio et ipsi Thucydidi; nam ut horum concisis sententiis, interdum etiam non satis apertis cum brevitate tum nimio acumine, officit Theopompus elatione atque altitudine orationis suae, [quod idem Lysiae Demosthenes,] sic Catonis luminibus obstruxit haec posteriorum quasi exaggerata altius oratio. Sed ea in nostris inscitia 67
est, quod hi ipsi, qui in Graecis antiquitate delectantur eaque subtilitate, quam Atticam appellant, hanc in Catone

subtilitate: 35. n.

17. 65. **mitto** = 'I say nothing of': for **aut** after the virtual negative, cf. M. 458 b. (2).

edisserendo: 146.

invenerim: 57. n.

eligant: unusually indefinite in subject.

66. **Origines**: Cato's great historical work.

eloquentiae: *e.g.* in Cato's own speech against Galba, introduced into the 7th book; 89.

Philisto: exiled B.C. 386; *de Or.* II. 13. 57; Quint. X. 1. 74.

acumine, *subtlety.*

of-ficit, literally *makes against*: *de Or.* I. 39. 179; *de Off* III. 16. 66. Its meaning corresponds to that of **obstruxit** below.

Theopompus: 204; *de Or.* II. 13. 57; Quint. X. 1. 74.

altitudine: alluding throughout to the law against overtopping a neighbor's house so as to obstruct his light.

67. **quod**: introducing an appositive explanatory clause. Cf.

ne noverunt quidem. Hyperidae volunt esse et Lysiae.
68 Laudo; sed cur nolunt Catones? Attico genere dicendi se gaudere dicunt. Sapienter id quidem — atque utinam imitarentur nec ossa solum, sed etiam sanguinem! Gratum est tamen, quod volunt: cur igitur Lysias et Hyperides amatur, cum penitus ignoretur Cato? Antiquior est huius sermo et quaedam horridiora verba; ita enim tum loquebantur. Id muta, quod tum ille non potuit, et adde numeros et, ut aptior sit oratio, ipsa verba compone et quasi coagmenta, quod ne Graeci quidem veteres fac-
69 titaverunt: iam neminem antepones Catoni. Ornari orationem Graeci putant, si verborum immutationibus utantur, quos appellant τρόπους, et sententiarum orationisque formis, quae vocant σχήματα: non veri simile est quam sit in utroque genere et creber et distinctus Cato.

Cæs. *B. C.* I. 39, *quo facto duas res consecutus est, quod*, etc.; *de Off.* II. 20. 70, *videndumque illud est, quod*, etc.

Catones: for plur., cf. *de Am.* 6. 21; *de Or.* I. 48. 210; II. 23. 94; II. 71. 290; III. 15. 56.

68. **cum**, *while*.

horridiora: 83; 238; 268.

id muta sq.: cf. 295, *remove haec; Tusc.* I. 13. 30, *tolle hanc opinionem, luctum sustuleris; Or.* 48. 159; 63. 214; Juv. I. 155; Cato's maxim, Introd. VII. 1. The imperatives form *protasis* clauses. For an Eng. example, with and without a connective, cf. *K. Lear*, IV. 6: —

> Plate sin with gold,
> And the strong lance of justice hurtless breaks;
> Arm it in rags, a pigmy's straw does pierce it.

non potuit: cf. *de Or.* I. 37. 171, *nonne et eloquentia tanta fuit, quantam illa tempora atque illa aetas in hac civitate ferre maximam potuit?*

aptior, *better jointed:* cf. *Or.* 51. 170, *apta et finita;* 50. 168, *numerosae et aptae orationis;* 44. 149.

coagmenta: *Or.* 23. 77; *de Or.* III. 43. 171; Quint. VIII. 6. 63; XII. 10. 77. Quintilian drops the apologetic *quasi*.

69. **immutationibus**: defined by the Greek word (from τρέπειν, to turn, to change); so of **formis** and σχήματα (from ἔχειν, to have, like *habitus* from *habere*), the relatives adapting themselves to the Greek genders. Cf. *Or.* 27. 92; *de Or.* III. 42. 167; for σχήματα, cf. 275; *Or.* 54. 181, *ea quae dicuntur orationis quasi formae et lumina;* 25. 83, where Sandys remarks on Quintilian's substitution of *figurae* for *formae;* cf. *Opt. Gen. Or.* 5. 14.

non veri simile = *incredible.*

distinctus, *ornate:* here of the speaker; cf. Tac. *Dial.* 18: usually

Nec vero ignoro nondum esse satis politum hunc ora- 18
torem et quaerendum esse aliquid perfectius; quippe cum
ita sit ad nostrorum temporum rationem vetus, ut nullius
scriptum exstet dignum quidem lectione, quod sit anti-
quius. Sed maiore honore in omnibus artibus quam in
hac una dicendi versatur antiquitas. Quis enim eorum 70
qui haec minora animadvertunt non intellegit Canachi
signa rigidiora esse quam ut imitentur veritatem? Cal-
amidis dura illa quidem, sed tamen molliora quam
Canachi; nondum Myronis satis ad veritatem adducta,
iam tamen quae non dubites pulcra dicere; pulcri-
ora etiam Polycliti et iam plane perfecta, ut mihi qui-
dem videri solent. Similis in pictura ratio est; in qua
Zeuxin et Polygnotum et Timanthem et eorum, qui
non sunt usi plus quam quattuor coloribus, formas et
lineamenta laudamus; at in Aetione, Nicomacho, Pro-
togene, Apelle iam perfecta sunt omnia. Et nescio an 71
reliquis in rebus omnibus idem eveniat. Nihil est
enim simul et inventum et perfectum; nec dubitari
debet quin fuerint ante Homerum poetae, quod ex eis
carminibus intellegi potest quae apud illum et in Phaea-

of his speech; cf. *de Or.* I. 12. 50; Quint. V. 14. 33.

18. nondum, in the historical development of oratory; = 'it was not yet the time for him to be.'

versatur, *employs itself:* Cato came early in the series of orators; and his art was least in favor.

70. minora: cf. 3.

Canachi: Quintilian (XII. 10. 7) names Callon and Hegesias as representing the crude beginnings of the statuary's art.

veritatem: *de Inv.* II. 1. 2; Quint. XII. 10. 9. Quintilian's illustrative list of sculptors is longer than Cicero's. Phidias, here omitted, receives due credit elsewhere. Cf. 228; 257; *de Or.* II. 17. 73; *Or.* 2. 8.

quattuor coloribus: '*albo, flavo, rubro, atro,*' Ell.; cf. Plin. *N. H.* XXXV. 7. 32; *Or.* 50. 169. Quintilian (XII. 10. 3 sq.) gives also a list of Greek painters, not omitting Parrhasius.

71. nescio an: cf. 126; with omission of the first question, and an affirmative implication: neutral in post-Augustan times.

simul: cf. Quint. IX. 4. 5, *quae porro ars statim fuit?*

Phaeacum: by Demodocus; *Od.* VIII. 48 sq.

cum et in procorum epulis canuntur. Quid, nostri veteres versus ubi sunt?

quos olim Fauni vatesque canebant,
cum neque Musarum scopulos quisquam superarat,
nec dicti studiosus erat — ante hunc

ait ipse de se, nec mentitur in gloriando; sic enim sese res habet. Nam et Odyssia Latina est sic tamquam opus aliquod Daedali et Livianae fabulae non
72 satis dignae quae iterum legantur. Atqui hic [Livius] primus fabulam C. Claudio Caeci filio et M. Tuditano consulibus docuit anno ipso ante quam natus est Ennius, post Romam conditam autem quartodecimo et quingentesimo, ut hic ait quem nos sequimur; est enim inter scriptores de numero annorum controversia. Accius

procorum: by Phemius; *Od.* I. 154; *et al.*

quos olim, etc.: from the Annals of Ennius; cf. 76. *Or.* 51. 171 shows that *vorsibus* began the first line of the quotation in our text, and that Ennius spoke slightingly of his predecessors; *ergo Ennio licuit vetera contemnenti dicere.*

Fauni: Varro's derivation, *de Ling. Lat.* VII. 36, is from *fari.* Modern etymologists have assigned it to another root, denoting light; but Nettleship (*Lect. and Ess.*, p. 51) connects it with *fatuus*, from *fari.* **vates** may be of the same stock with *fari*: Nettleship (*Lect. and Ess.*, p. 53) suggests the root *va* = 'to cry, or to speak.' It is an indigenous Latin (or early acquired Celtic) word for *bard*, superseded usually by the Greek *poeta.* Ennius and Lucretius used it disparagingly; cf. Lucr. I. 102; in Vergil's time its honor was restored; *e.g. Ecl.* IX. 34. Juvenal (I. 18) uses it satirically, but not contemptuously. Cf. Juv. VII. 53, *egregium vatem;* Quint. X. 1. 48, *dearum quas praesidere vatibus creditur.* Cf. Munro on Lucr., l.c.

scopulos: cf. *de Or.* III. 41. 163, *Syrtim patrimonii, scopulum libentius dixerim.*

hunc = Ennius himself. Cf. Hor. *Sat.* I. 9. 47, *hunc hominem* [*i.e. me*] *velles si tradere.*

sese: cf. 149; 192; for the phrase, cf. Gr. *οὕτως ἔχει.*

Odyssia: of Livius Andronicus, in Saturnian verse: long used as a school-book; Hor. *Ep.* II. 1. 69.

Livianae: Quint. X. 2. 7, *quid erat futurum, si nemo plus effecisset eo quem sequebatur? nihil in poetis supra Livium Andronicum . . . haberemus;* cf. Liv. XXVII. 37, *forsitan laudabile rudibus ingeniis, nunc abhorrens et inconditum.*

72. **fabulam**: cf. *Tusc.* I. 1. 3; *de Sen.* 14. 50.

docuit: cf. 73; 78; 229; from teaching the parts to the actors; cf. Gr. *διδάσκειν.*

hic (ait): Atticus.

autem a Q. Maximo quintum consule captum Tarento scripsit Livium annis XXX post quam eum fabulam docuisse et Atticus scribit et nos in antiquis commentariis
invenimus, docuisse autem fabulam annis post XI C. 73
Cornelio Q. Minucio consulibus ludis Iuventatis, quos Salinator Senensi proelio voverat: in quo tantus error Accii fuit ut his consulibus XL annos natus Ennius fuerit; cui si aequalis fuerit Livius, minor fuit aliquanto is, qui primus fabulam dedit, quam ei qui multas docuerant ante hos consules, et Plautus et Naevius.

Haec si minus apta videntur huic sermoni, Brute, 19 74
Attico adsigna, qui me inflammavit studio inlustrium hominum aetates et tempora persequendi.' 'Ego vero,' inquit Brutus, 'et delector ista quasi notatione temporum et ad id quod instituisti, oratorum genera distinguere aetatibus, istam diligentiam esse adcommodatam puto.'
'Recte,' inquam, 'Brute, intellegis; atque utinam ex- 75
starent illa carmina, quae multis saeculis ante suam

quintum: cf. 40. n.

Tarento: Ell. and Orel. have **Tarenti**. The other form is abl., with the meaning '[captured] from Tarentum.' Cf. *in Verr.* II. 4. 58. 129, *ex Macedonia captum;* Quint. V. 10. 67. Cf. also the whence abl. in dating letters; *e.g. ad Fam.* XIV. 12, *Brundisio; ad Att.* VI. 1. 1; IX. 6. 1. Two or three good parallels to this passage are found in Cæs. *B. C.*, showing how accompanying words may modify the locative; I. 34, *quem paucis ante diebus Corfinio captum ipse dimiserat;* II. 28; III. 42.

scripsit: in his *Didascalica;* his mistake arose from confounding two victories at Tarentum, one B.C. 272, the other 209.

73. **ludis**: festivities at the dedication of a temple to *Iuventas*, according to a vow made 16 years before, when M. Livius Salinator gained a victory over Hasdrubal at Sena. The battle (B.C. 207) is usually named from the river Metaurus; Liv. XXXVI. 36; XXVII. 47 sq.

ut: the error was so great that (this very different thing is true, viz., that) in the time of those consuls Ennius, etc.

dedit: cf. *docere* and *agere* with **fabulam**.

quam ei: a *reductio ad absurdum*.

Plautus: before the public earlier than B.C. 216. **Naevius**: B.C. 235.

19. 74. **adsigna**, etc.: deprecatory; *ad Fam.* VI. 7. 3, *necesse est aut infirmitati aut invidiae adsignetur; ad Att.* X. 4. 6.

distinguere: appositive infin. clause.

aetatem in epulis esse cantitata a singulis convivis de clarorum virorum laudibus in Originibus scriptum reliquit Cato! Tamen illius, quem in vatibus et Faunis adnumerat Ennius, bellum Punicum quasi Myronis opus
76 delectat. Sit Ennius sane, ut est certe, perfectior; qui si illum, ut simulat, contemneret, non omnia bella persequens primum illud Punicum acerrimum bellum reliquisset. Sed ipse dicit cur id faciat: "Scripsere," inquit, "alii rem vorsibus," et luculente quidem scripserunt, etiamsi minus quam tu polite; nec vero tibi aliter videri debet, qui a Naevio vel sumpsisti multa, si fateris, vel, si negas, surripuisti.

77 Cum hoc Catone grandiores natu fuerunt C. Flaminius, C. Varro, Q. Maximus, Q. Metellus, P. Lentulus, P. Crassus, qui cum superiore Africano consul fuit. Ipsum Scipionem accepimus non infantem fuisse. Filius quidem eius, is qui hunc minorem Scipionem a Paullo

75. **epulis**: *Tusc.* I. 2. 3; IV. 2. 3, *gravissimus auctor in Originibus dixit Cato, morem apud maiores hunc epularum fuisse, ut deinceps qui accubarent canerent ad tibiam clarorum virorum laudes atque virtutes;* Hor. *Od.* IV. 15. 25–32; Val. Max. II. 1. 10.

cantitata: double frequentative.

illius = Naevii.

in vatibus: for another construction with *adnumerare*, cf. 207.

delectat: the poet (we may add), as well as his readers; cf. *de Sen.* 14. 50, *quam gaudebat bello suo Punico Naevius!*

76. **qui si** = 'but if he (really).'

acerrimum, *most sharply contested.*

reliquisset: in his comprehensive Annals. He did treat of that war, but very briefly.

surripuisti: cf. Sen. *Ep.* 108. 34, *Ennium hoc ait [grammaticus] Homero surripuisse, Ennio Vergilium.*

77. **hoc**: before mentioned.

grandiores: the older group of his contemporaries.

infantem: *i.e.* wanting power to speak; 90; 101; 108; 278; 305; *pro Clu.* 18. 51. It is related of Scipio that, when accused, he scorned to answer the charges brought against him, but 'descanted long and eloquently upon the signal services he had rendered to the commonwealth.' And when he bade the people 'follow him to the Capitol, and there return thanks to the immortal gods, and pray that they would grant the Roman state other citizens like himself,' the multitude obeyed, and the trial was at an end. Cf. Liv. XXXVIII. 50.

hunc: *i.e.* nearer; died B.C. 129.

adoptavit, si corpore valuisset, in primis habitus esset
disertus; indicant cum oratiunculae tum historia quae-
dam Graeca scripta dulcissime. Numeroque eodem fuit 20 78
Sex. Aelius, iuris quidem civilis omnium peritissimus,
sed etiam ad dicendum paratus; de minoribus autem C.
Sulpicius Gallus, qui maxime omnium nobilium Graecis
litteris studuit; isque et oratorum in numero est habi-
tus et fuit reliquis rebus ornatus atque elegans. Iam
enim erat unctior quaedam splendidiorque consuetudo lo-
quendi; nam hoc praetore ludos Apollini faciente cum
Thyesten fabulam docuisset, Q. Marcio Cn. Servilio
consulibus mortem obiit Ennius. Erat eisdem tempori- 79
bus Ti. Gracchus P. f., qui bis consul et censor fuit,
cuius est oratio Graeca apud Rhodios; quem civem cum
gravem tum etiam eloquentem constat fuisse. P. etiam
Scipionem Nasicam, qui est Corculum appellatus, qui
item bis consul et censor fuit, habitum eloquentem aiunt,
illius qui sacra acceperit filium. Dicunt etiam L. Len-

habitus esset: cf. *de Sen.* 11. 35, *alterum illud exstitisset lumen civitatis; ad paternam enim magnitudinem animi doctrina uberior accesserat; de Off.* I. 33. 121.

Graeca: written in Greek, as were many of the early Roman histories; see Seeley's Livy, pp. 11, 12. Cf. 81; and Nettleship's *Lect. and Ess.*, p. 341.

20. 78. **numero**: without prep.; cf. **in numero** below; R. 1172, 1175.

de: cf. 83, *de multis*; 125; 131; 181; 186; 189; 198; *pro Arch.* 10. 25; part from the whole. Cf. *e multis*, 274; 194.

reliquis rebus: *e.g.* astronomy; cf. *de Sen.* 14. 49.

unctior: a figure of speech more natural to the old Romans and Greeks than to us; cf. 64. n.

Thyesten: a quotation from this tragedy of Ennius is given, with a criticism, *de Or.* III. 41. 164; cf. *Tusc.* III. 12. 26.

ludos: instituted B.C. 212; held by the *praetor urbanus*, on the 6th of July.

obiit: B.C. 169, at the age of 70.

79. **Gracchus**: father of Tiberius and Gaius.

Rhodios: B.C. 164 he went as an ambassador to Asia.

Corculum: 213; *Tusc.* I. 9. 18, *aliis cor ipsum animus videtur, ex quo excordes, vecordes, concordesque dicuntur et Nasica ille prudens bis consul Corculum.* Cf. *de Or.* I. 45. 198.

acceperit: when, B.C. 204, the image of 'the Great Mother' was received at Rome. The subjunc. clause here belongs to an appositive

tulum, qui cum C. Figulo consul fuit; Q. Nobiliorem M. f. iam patrio instituto deditum studio litterarum, qui etiam Q. Ennium, qui cum patre eius in Aetolia militaverat, civitate donavit, cum triumvir coloniam deduxisset; et T. Annium Luscum, huius Q. Fulvii conlegam,
80 non indisertum dicunt fuisse. Atque etiam L. Paullus, Africani pater, personam principis civis facile dicendo tuebatur. Et vero etiam tum Catone vivo — qui annos quinque et octoginta natus excessit e vita, cum quidem eo ipso anno contra Ser. Galbam ad populum summa contentione dixisset, quam etiam orationem scriptam re-
21 81 liquit — sed vivo Catone minores natu multi uno tempore oratores floruerunt. Nam et A. Albinus, is qui Graece scripsit historiam, qui consul cum L. Lucullo fuit, et litteratus et disertus fuit; et tenuit cum hoc locum quendam etiam Ser. Fulvius, et una Ser. Fabius Pictor, et iuris et litterarum et antiquitatis bene peritus; Quintusque Fabius Labeo fuit ornatus eisdem fere laudibus. Nam Q. Metellus, is cuius quattuor filii consula-

addition, and Cicero chose to treat it as part of the quotation: cf *donavit* below.

instituto = 'scheme of training': cf. 31; 101; Quint. I. 1. 16, *formandam quam optimis institutis mentem infantium iudicat;* and the title of his work, *de Institutione Oratoria Libri XII.* The elder Nobilior was of the Grecizing party.

militaverat: B.C. 189; cf. *pro Arch.* 11. 27.

donavit: a right pertaining to the *triumviri coloniae deducendae* or *triumviri agro dando.*

80. **personam**: 165.

dicendo: Liv. XLV. 40, *memorabilis eius oratio et digna Romano principe fuit.*

21. 81. **sed**: resuming after a digression; cf. 64.

minores: the junior contemporaries of Cato; cf. *grandiores*, 77.

disertus, and **eloquens** below: *de Or.* I. 21. 94, *scripsi . . . disertos cognosse me nonnullos, eloquentem adhuc neminem, quod eum statuebam disertum, qui posset satis acute atque dilucide apud mediocres homines ex communi quadam opinione hominum dicere, eloquentem vero, qui mirabilius et magnificentius augere posset atque ornare quae vellet, omnisque omnium rerum, quae ad dicendum pertinerent, fontis animo ac memoria contineret.* *Or.* 5. 18; Wilkins, *de Or.* l.c.

Fabius: not the well-known annalist.

Metellus: cf. *Tusc.* I. 35. 85.

filii: these four sons bore his

res fuerunt, in primis est habitus eloquens, qui pro L. Cotta dixit accusante Africano; cuius et aliae sunt orationes et contra Ti. Gracchum exposita est in C. Fannii annalibus. Tum ipse L. Cotta veterator habitus: 82
sed C. Laelius et P. Africanus in primis eloquentes, quorum exstant orationes, ex quibus existimari de ingeniis oratorum potest. Sed inter hos aetate paulum eis antecedens sine controversia Ser. Galba eloquentia praestitit; et nimirum is princeps ex Latinis illa oratorum propria et quasi legitima opera tractavit, ut egrederetur a proposito ornandi causa, ut delectaret animos, ut permoveret, ut augeret rem, ut miserationibus, ut communibus locis uteretur. Sed nescio quo modo huius, quem constat eloquentia praestitisse, exiliores orationes sunt et redolentes magis antiquitatem quam aut Laelii aut Scipionis aut etiam ipsius Catonis; itaque exaruerunt, vix iam ut appareant.

corpse to the funeral pile, *unus consularis et censorius, alter consularis, tertius consul, quartus candidatus consulatus, quem honorem adeptus est*, Vell. I. 11.

accusante: about B.C. 130.

Africano, sc. minore: Scipio was then at the height of his glory. Cicero says (*pro Mur.* 28. 58) that Cotta, though guilty, was acquitted, lest he should seem to have been crushed by the weight of so powerful an assailant.

Ti. Gracchum: when he proposed his agrarian law.

exposita: 164, where *exposita* is less than *explicata; de Or.* I. 53. 227 (89. n.).

Fannii: cf. 101; his *annales* (*historia*, 101; 299) were limited to the nearest past; Teuffel, 142.

82. **veterator**: not in a bad sense, (from *vetus*) = 'practised speaker'; 178; *de Off.* III. 32. 113, *veterator et callidus;* cf. 238.

Laelius: the friend of the younger Africanus, as his father had been of the elder; a friendship immortalized in *de Amicitia*.

Africanus: 81. n.; *de Or.* III. 7. 28, *gravitatem Africanus, lenitatem Laelius, asperitatem Galba . . . habuit;* Quint. XII. 10. 39.

Galba: 86 sq.

egrederetur: cf. Quint. IV. 3. 15.

delectaret . . . permoveret: Quint. III. 5. 2, *tria sunt item, quae praestare debet orator, ut doceat, moveat, delectet.*

augeret: 47; 146; *de Or.* I. 21. 94; I. 31. 143: = *amplify*.

miserationibus: Quint. VI. 1. 23.

exiliores: *de Or.* II. 38. 159, *genus sermonis . . . exile, aridum, concisum atque minutum.*

exaruerunt: 16; *Tusc.* III. 31.

83 De ipsius Laelii et Scipionis ingenio quamquam ea
est fama, ut plurimum tribuatur ambobus, dicendi tamen
laus est in Laelio inlustrior. At oratio Laelii de conlegiis
non melior quam de multis quam voles Scipionis; non
quo illa Laelii quicquam sit dulcius aut quo de religione
dici possit augustius, sed multo tamen vetustior et hor-
ridior ille quam Scipio; et, cum sint in dicendo variae
voluntates, delectari mihi magis antiquitate videtur et
libenter verbis etiam uti paulo magis priscis Laelius.
84 Sed est mos hominum ut nolint eundem pluribus rebus
excellere; nam ut ex bellica laude aspirare ad Africa-
num nemo potest, in qua ipsa egregium Viriathi bello
reperimus fuisse Laelium, sic ingenii, litterarum, elo-
quentiae, sapientiae denique etsi utrique primas, priores
tamen libenter deferunt Laelio. Nec mihi ceterorum iudi-
cio solum videtur, sed etiam ipsorum inter ipsos con-
85 cessu ita tributum fuisse. Erat omnino tum mos, ut in

75, *opinio . . . vetustate exaruit.* They have so shrunken as to show for almost nothing. Em. Hoffmann (*Jahrb.* 113, p. 244) claims that *exarescere* by itself = 'to disappear, to cease to exist,' citing such passages as *ad Fam.* VII. 31. 2 and IX. 18. 3; with abl. of manner = 'to become dry and sapless,' citing 16 and *de Rep.* I. 43. 66. Here he would supply the abl.

83. **ipsius**: to be understood also with **Scipionis**.

conlegiis: *de Am.* 25. 96 (Lælius speaking), *religio deorum immortalium nobis defendentibus facile vincebat; atque id actum est praetore me* (B.C. 145); *Nat. D.* III. 2. 5; III. 17. 43. See 1. n.

de multis: 78. n.

quam (voles): relat. pron., antecedent omitted; = *quamlibet.*

non quo: an assumed reason is introduced affirmatively by *quod* or *quia;* negatively by *non quod, non quia, non quo,* (*non quin*). Cf. R. 1744; M. 375 *b.* obs.

vetustior, *more antiquated.*

voluntates, *tastes, i.e.* on the part of the orators.

84. **excellere** = *to be confessedly eminent.*

ex, *in point of:* cf. 63. n.

aspirare, *approach; ad Fam.* VII. 10. 1, *ad quem ceteri . . . aspirare non possunt.*

bello: an abl. time-phrase, with *in* omitted; *bello* may be used thus without an adjunct; *pro Sest.* 26. 57. Cf. *de Off.* II. 11. 40, *quem* [*Viriathum*] *C. Laelius . . . praetor fregit et comminuit.*

primas, sc. **partis**: probably originally a theatrical phrase: 183; 308; 327; *priores,* 317; *secundarum,* 242; Hor. *S.* I. 9. 46.

inter ipsos concessu, *by their mutual admission.*

reliquis rebus melior, sic in hoc ipso humanior, ut faciles
essent in suum cuique tribuendo. Memoria teneo Smyr- 22
nae me ex P. Rutilio Rufo audisse, cum diceret adulescentulo se accidisse, ut ex senatus consulto P. Scipio et D. Brutus, ut opinor, consules de re atroci magnaque quaererent. Nam cum in silva Sila facta caedes esset notique homines interfecti, insimulareturque familia, partim etiam liberi, societatis eius, quae picarias de P. Cornelio L. Mummio censoribus redemisset, decrevisse senatum, ut de ea re cognoscerent et statuerent
consules. Causam pro publicanis adcurate, ut semper 86
solitus esset, eleganterque dixisse Laelium; cum consules re audita AMPLIUS de consilii sententia pronuntiavissent, paucis interpositis diebus iterum Laelium multo diligentius meliusque dixisse, iterumque eodem modo a consulibus rem esse prolatam. Tum Laelium, cum eum socii domum reduxissent egissentque gratias et ne defatigaretur oravissent, locutum esse ita: se, quae fecisset, honoris eorum causa studiose adcurateque fecisse, sed se

22. 85. **Rufo**: 110 sq. He was in exile at Smyrna.

audisse: B.C. 78.

accidisse: B.C. 138.

quaererent: judicial functions pertained to the prætors; 'but in special cases the senate still sometimes, by a *decretum*, appointed the consuls as *quaesitores*.'

Sila: Verg. *Aen.* XII. 715. For the Sila of modern times, cf. an article by Prof. Mahaffy, *Contemp. Rev.* 1884.

insimularetur, *accused;* (from *similis*) made to look like guilty ones.

familia, *slaves;* here sharply distinguished from **liberi**, the free men attached to the company.

societatis: used especially of companies farming the public revenues: *ad Fam.* XIII. 9. 2; *pro Sest.* 14. 32; *pro Mur.* 33. 69.

picarias: pitch was procured there in large quantities.

censoribus: B.C. 142.

redemisset, *had farmed:* cf. Cæs. *B. G.* I. 18.

decrevisse: connect this and following infinitives with **diceret**.

86. **esset**: subjunc. as showing the narrator's view.

amplius: a judicial term calling for a further hearing. For **consilii** (= *iudices* deliberating), cf. *pro Clu.* 27, *et saepe.* **sententia** here is not the formal vote: cf. 188; *ex mea sententia*, according to my wish; 281. n.

socii: cf. *societas* above; *ad Fam.* XIII. 9. 3.

reduxissent: the client's custom.

arbitrari causam illam a Ser. Galba, quod is in dicendo ardentior acriorque esset, gravius et vehementius posse defendi. Itaque auctoritate C. Laelii publicanos causam
87 detulisse ad Galbam; illum autem, quod ei viro succedendum esset, verecunde et dubitanter recepisse. Unum quasi comperendinatus medium diem fuisse, quem totum Galbam in consideranda causa componendaque posuisse; et, cum cognitionis dies esset et ipse Rutilius rogatu sociorum domum ad Galbam mane venisset, ut eum admoneret et ad dicendi tempus adduceret, usque illum, quoad ei nuntiatum esset consules descendisse, omnibus exclusis commentatum in quadam testudine cum servis litteratis fuisse, quorum alii aliud dictare eodem tempore solitus esset. Interim cum esset ei nuntiatum tempus esse, exisse in aedis eo colore et eis oculis, ut egisse

87. **recepisse**: 207; *recipere* is to undertake at the instance of, or with a promise to others; *suscipere* is to undertake of one's own accord, especially as a favor to others needing help (coming to one's help being a frequent notion in compounds of *sub*): *de Or.* II. 24. 101, *magna offensio vel neglegentiae, susceptis rebus, vel perfidiae, receptis;* in *Verr.* II. 2. 1. 1; *Div. in Caecil.* 8. 26; Quint. XII. 1. 39; cf. Wilkins, *de Or.* l.c.

comperendinatus: *perendie* = the day after to-morrow. By a law of Servilius Glaucia, B.C. 104, when proceedings were instituted before a *iudex*, the parties were to appear before him on the third day (Roman reckoning). One whole day would intervene (*medius*); and a day *like* this was that in which Galba worked. **quasi** avoids the anachronism of applying this law to the earlier time of Galba. For a corresponding verb, cf. *in Verr.* II. 1. 9. 26, *Glaucia primus tulit, ut comperendinaretur reus;* II. 1. 7. 20.

quem = *and this:* infin. in this subordinate relative clause, as continuing the thought; M. 402 a.

cognitionis, *trial.*

adduceret: the usual escort; **ad tempus** = 'to the place and at the time.'

usque . . . quoad: an infrequent combination; *quoad . . . usque* is post-classical.

descendisse: *de Or.* II. 66. 267, *in forum descendens;* so *ad comitia*, etc. Homes were on the hills. For the absolute use, cf. *Phil.* II. 6. 15; *ad Fam.* VIII. 4. 1.

testudine: the *cavum aedium* was called *testudinatum* when it had no *impluvium*, but was entirely covered; see Becker's *Gallus*, Sc. 2, Exc. 1; and cf. Varro, *de Ling. Lat.* V. 161.

litteratis: Cicero's (freedman) Tiro is the best known of this class.

in aedis: from the interior (*cavum aedium*) out into the *atrium*.

causam, non commentatum putares. Addebat etiam, 88
idque ad rem pertinere putabat, scriptores illos male mulcatos exisse cum Galba; ex quo significabat illum non in agendo solum, sed etiam in meditando vehementem atque incensum fuisse. Quid multa? magna exspectatione plurimis audientibus coram ipso Laelio sic illam causam tanta vi tantaque gravitate dixisse Galbam, ut nulla fere pars orationis silentio praeteriretur; itaque multis querellis multaque miseratione adhibita socios omnibus approbantibus illa die quaestione liberatos esse.

Ex hac Rutilii narratione suspicari licet, cum duae **28** 89
summae sint in oratore laudes, una subtiliter disputandi ad docendum, altera graviter agendi ad animos audientium permovendos, multoque plus proficiat is qui inflammet iudicem quam ille qui doceat, elegantiam in Laelio, vim in Galba fuisse. Quae quidem vis tum maxime cognita est, cum Lusitanis a Ser. Galba praetore contra interpositam, ut existimabatur, fidem interfectis, L. Libone tribuno plebis populum incitante et rogationem in Galbam privilegii similem ferente, summa senectute, ut ante dixi, M. Cato legem suadens in Galbam multa dixit; quam orationem in Origines suas rettulit,

88. **mulcatos**, '*used up*.'

silentio: there was applause throughout; cf. *clamores*, 164; 326.

quaestione, *from the inquisition;* cf. Ell. n.

28. 89. **proficiat**: 92; 139. Eng. *profit* is from this word (*profectus*) through the French.

Lusitanis: B.C. 150; cf. Suet. *Galb.* 3; Val. Max. IX. 6. 2.

interpositam, *pledged*: *Rosc. Am.* 39. 114; Sall. *Iug.* 32. 1; Cæs. *B. G.* V. 6.

privilegii = a law respecting an individual; Gell. X. 20. In Cicero's time it might be against one, or in his favor, usually the former: in post-Augustan times it was an imperial favor. *Privi-lege* is a much abused English word; what is a universal or common enjoyment is not a privilege.

similem: the *rogatio* of Libo, therefore, was not in terms aimed at Galba alone.

ante: 80.

rettulit: cf. *de Or.* I. 53. 227,

90 paucis antequam mortuus est diebus an mensibus. Tum igitur nihil recusans Galba pro sese et populi Romani fidem implorans, cum suos pueros tum C. Galli etiam filium flens commendabat, cuius orbitas et fletus mire miserabilis fuit propter recentem memoriam clarissimi patris; isque se tum eripuit flamma, propter pueros misericordia populi commota, sicut idem scriptum reliquit Cato. Atque etiam ipsum Libonem non infantem video fuisse, ut ex orationibus eius intellegi potest.'

91 Cum haec dixissem et paulum interquievissem, 'Quid igitur,' inquit, 'est causae,' Brutus, 'si tanta virtus in oratore Galba fuit, cur ea nulla in orationibus eius appareat? quod mirari non possum in eis qui nihil omnino scripti
24 reliquerunt.' 'Nec enim est eadem,' inquam, 'Brute, causa non scribendi et non tam bene scribendi quam dixerint. Nam videmus alios oratores inertia nihil scripsisse, ne domesticus etiam labor accederet ad forensem;

quam orationem in Originibus suis exposuit ipse.

an: an abridged double question; *nescio utrum dicam* **diebus, an** (*dicam*) **mensibus**; Pid. Cf. *ad Fam.* VII. 9. 3; *ad Att.* I. 3. 2; *de Fin.* II. 32. 104.

90. **nihil recusans,** *making no defence:* Quint. III. 10. 1, *causa omnis, in qua pars altera agentis est, altera recusantis;* Plaut. *Poen.* 1352; *pro Caecin.* 29. 82.

implorans: a favorite resource of Romans accused; **fidem** then = *protection, assistance; in Verr.* II. 1. 9. 25, *deum atque hominum fidem implorabis.*

scriptum: cf. *de Or.* I. 53. 228.

91. **causae**: cf. *Phil.* II. 29. 71, *quid fuit causae cur in Africam Caesarem non sequerere?* R. II. p. xxxviii regards the word as probably a pred. dat.

ea nulla: cf. 106.

quod mirari non possum: **quod** is loosely used. Brutus assumes that orators 'who left no writing at all' were unable to write well: if one *could* write well, and actually wrote out his speeches, as Galba did, why should they not show the orator's power?

24. nec enim: (nay, you need not wonder at the falling off of Galba in his written speeches, nor think he ought therefore to be classed with the non-writers, whom you assume to be incompetent,) '*for* there is not the same reason' in the two cases. The non-writers are not necessarily incompetent to write well; there are other reasons for their not writing out their speeches. These reasons are such as the following (**nam videmus**, etc.).

domesticus: at home.

pleraeque enim scribuntur orationes habitae iam, non ut
habeantur; alios non laborare, ut meliores fiant; nulla 92
enim res tantum ad dicendum proficit quantum scriptio;
memoriam autem in posterum ingenii sui non desiderant,
cum se putant satis magnam adeptos esse dicendi glo-
riam, eamque etiam maiorem visum iri, si in existiman-
tium arbitrium sua scripta non venerint; alios, quod
melius putent dicere se posse quam scribere; quod
peringeniosis hominibus neque satis doctis plerumque
contingit, ut ipsi Galbae; quem fortasse vis non ingenii 93
solum, sed etiam animi et naturalis quidam dolor dicen-
tem incendebat efficiebatque, ut et incitata et gravis et
vehemens esset oratio; dein cum otiosus stilum prehen-
derat motusque omnis animi tamquam ventus hominem
defecerat, flaccescebat oratio. Quod eis qui limatius
dicendi consectantur genus accidere non solet, propter-
ea quod prudentia numquam deficit oratorem, qua ille
utens eodem modo possit et dicere et scribere; ardor
animi non semper adest, isque cum consedit, omnis illa
vis et quasi flamma oratoris exstinguitur. Hanc igitur 94

habitae iam: cf. *de Sen.* 11. 38, *causarum inlustrium, quascumque defendi, nunc cum maxime conficio orationes;* but this means careful revision.

92. **scriptio**: cf. *de Or.* I. 33. 150, *stilus optimus et praestantissimus dicendi effector ac magister;* Quint. X. 3. 1, *ut laboris, sic utilitatis etiam longe plurimum adfert stilus.*

memoriam, *record.*

cum, *while* (with indic.).

existimantium, *critics.* Cf. 146; 200; 252; 320.

arbitrium, *judgment* (perhaps capricious): *de Or.* I. 23. 108, *ex rebus penitus perspectis planeque cognitis atque ab opinionis arbitrio seiunctis.*

neque satis doctis: here was the chief cause of a lack of permanent interest in the orations of Galba; another sufficient cause is developed in 93.

93. **dolor,** *pathos*: 158; 278; *Or.* 37. 130; *de Or.* II. 17. 73; III. 25. 96.

otiosus: *i.e.* in the calm following his storm of passion.

prudentia = 'a cool judgment,' the opposite of **ardor animi**: *de Off.* I. 43. 153, *prudentiam . . . quae est rerum expetendarum fugiendarumque scientia;* Quint. II. 20. 5.

flamma: cf. Sall. *Iug.* 4. 6.

ob causam videtur Laelii mens spirare etiam in scriptis, Galbae autem vis occidisse.

25 Fuerunt etiam in oratorum numero mediocrium L. et Sp. Mummii fratres, quorum exstant amborum orationes. Simplex quidem L. et antiquus; Sp. autem nihilo ille quidem ornatior, sed tamen astrictior; fuit enim doctus ex disciplina Stoicorum. Multae sunt Sp. Albini orationes; sunt etiam L. et C. Aureliorum Orestarum,
95 quos aliquo video in numero oratorum fuisse. P. etiam Popilius cum civis egregius tum non indisertus fuit; C. vero filius eius disertus; Gaiusque Tuditanus cum omni vita atque victu excultus atque expolitus tum eius elegans est habitum etiam orationis genus. Eodemque in genere est habitus is, qui iniuria accepta fregit Ti. Gracchum patientia, civis in rebus optimis constantissimus M. Octavius. At vero M. Aemilius Lepidus, qui est Porcina dictus, eisdem temporibus fere quibus Galba, sed paulo minor natu, et summus orator est habitus et fuit,
96 ut apparet ex orationibus, scriptor sane bonus. Hoc in oratore Latino primum mihi videtur et levitas apparuisse illa Graecorum et verborum comprehensio et iam artifex, ut ita dicam, stilus. Hunc studiose duo adulescentes in-

94. **mens**: *i.e.* the clear, calm intellect.

25. astrictior: joined with *contractus*, 120; 309; cf. 274.

95. **egregius**: from the aristocratic point of view. His zeal against the followers of Ti. Gracchus brought him exile ten years later, through C. Gracchus.

vita atque victu: Lucr. V. 804; V. 1080; *de Off.* I. 17. 58; *de Leg.* III. 14. 32; Nep. *Alcib.* 1., *splendidus non minus in vita quam in victu.* '*Vita* denotes the public, *victus* the private life of a man'; Doed. *Syn.*

iniuria: in consequence of opposition to the laws proposed by the elder Gracchus, Octavius, his colleague, was forcibly deprived of the tribuneship.

fregit: said also of Drusus and C. Gracchus, 109. Ti. Gracchus was put in the wrong by doing violence to the sacred office of a tribune.

patientia: *i.e.* by his resolute, unyielding opposition; cf. Pid.

Lepidus: 295.

96. **artifex**: Ov. *Met.* XV. 218; Plin. *N. H.* VIII. 16. 55; here active in meaning; sometimes passive.

geniosissimi et prope aequales C. Carbo et Ti. Gracchus audire soliti sunt; de quibus iam dicendi locus erit, cum de senioribus pauca dixero. Q. enim Pompeius non contemptus orator temporibus illis fuit, qui summos honores homo per se cognitus sine ulla commendatione
maiorum est adeptus. Tum L. Cassius multum potuit 97
non eloquentia, sed dicendo tamen; homo non liberalitate, ut alii, sed ipsa tristitia et severitate popularis; cuius quidem legi tabellariae M. Antius Briso tribunus plebis diu restitit, M. Lepido consule adiuvante; eaque res P. Africano vituperationi fuit, quod eius auctoritate de sententia deductus Briso putabatur. Tum duo Caepiones multum clientes consilio et lingua, plus auctoritate tamen et gratia sublevabant. Sex. Pompeii sunt scripta nec nimis extenuata, quamquam veterum est
similis, et plena prudentiae. P. Crassum valde probatum 26 98
oratorem eisdem fere temporibus accepimus, qui et ingenio valuit et studio et habuit quasdam etiam domesti-

per se cognitus: cf. *in Verr.* II. 5. 70. 181, *Q. Pompeius, humili atque obscuro loco natus; in Cat.* I. 11. 28, *te hominem per te cognitum, nulla commendatione maiorum,* — where, as elsewhere, Cicero was proud to call himself a *novus homo.*

97. **tristitia**: 113; *de Or.* II. 58. 236; *de Am.* 18. 66. As an epithet of style, *tristis* was a stronger word than *severus;* Quint. XII. 10. 80, *severa, non tristia.* Cassius gave currency to the famous question, *Cui bono? pro Mil.* 12. 32, *illud Cassianum;* cf. *pro Rosc. Am.* 30. 84.

tabellariae: B.C. 137, introducing the vote by ballot in the *iudicium populi; i.e.* where cases were tried in the *comitia* by the whole body of the people. *Perduellio* was excepted, but included B.C. 108.

auctoritate: cf. *de Leg.* III. 16. 37, *Cassiae legis culpam Scipio tuus sustinet, quo auctore lata esse dicitur.*

duo: Cn. and Q.; the latter was noted for his perfidy to Viriathus: cf. Val. Max. IX. 6. 4.

Pompeii: probably the grandfather of the triumvir.

extenuata, *meagre.*

26. 98. **domesticas**: in the two departments of oratory and jurisprudence, as the next sentence explains. An adopted Crassus, he allied himself to an eloquent family; he belonged by birth to a family of distinguished jurists. He was cited as an extraordinary recipient of fortune's favors, in that he was *ditissimus, nobilissimus, eloquentissimus, iurisconsultissimus,* and *pontifex maximus;* Gell. I. 13.

cas disciplinas; nam et cum summo illo oratore, Ser. Galba, cuius C. filio filiam suam conlocaverat, adfinitate sese devinxerat, et cum esset P. Mucii filius fratremque haberet P. Scaevolam, domi ius civile cognoverat. In eo industriam constat summam fuisse maximamque gra-
99 tiam, cum et consuleretur plurimum et diceret. Horum aetatibus adiuncti duo C. Fannii C. et M. filii fuerunt; quorum Gaii filius, qui consul cum Domitio fuit, unam orationem de sociis et nomine Latino contra Gracchum reliquit sane et bonam et nobilem.' Tum Atticus, 'Quid ergo? estne ista Fannii? nam varia opinio pueris nobis erat. Alii a C. Persio litterato homine scriptam esse aiebant, illo, quem significat valde doctum esse Lucilius; alii multos nobilis, quod quisque potuisset, in illam
100 orationem contulisse.' Tum ego, 'Audivi equidem ista,' inquam, 'de maioribus natu, sed numquam sum adductus ut crederem; eamque suspicionem propter hanc causam credo fuisse, quod Fannius in mediocribus oratoribus habitus est, oratio autem vel optima est illo quidem tempore orationum omnium. Sed nec eius modi est, ut a pluribus confusa videatur; unus enim sonus est totius orationis et idem stilus; nec de Persio reticuisset Grac-

diceret: 212. n.

99. **Gaii**: C. stood for Gaius, as Cn. for Gnaeus; Quint. I. 7. 28–29.

consul: B.C. 122.

de sociis, etc.: C. Gracchus 'made a proposal to grant to the Latins the full franchise, and to the other Italian allies the former rights of the Latins'; Mommsen, who gives a fragment of the speech of Fannius. Gracchus was obliged to withdraw his proposal.

nomine Latino: this term distinguished certain Italian cities as entitled to larger privileges than mere *socii*. The *ius Latii* was higher than the *ius Italicum*, and gave access, through local magistracies, to the full *ius civitatis*. Cf. Merivale's Rome, Chap. 16.

Persio: *de Or.* II. 6. 25, *de quo etiam* [*Lucilius*] *scripsit*, '*Persium non curo legere*,' — *hic fuit enim, ut noramus, omnium fere nostrorum hominum doctissimus*; see Wilk. n.

100. **confusa**, *put together*; cf. *Tusc.* I. 11. 23; Liv. I. 23; Quint. I. 7. 26; and *contulisse*, 99.

sonus: *Opt. Gen. Or.* 1. 1, *suus est cuique certus sonus*; *de Or.* II. 12. 54.

chus, cum ei Fannius de Menelao Maratheno et de
ceteris obiecisset, praesertim cum Fannius numquam
sit habitus elinguis; nam et causas defensitavit et tri-
bunatus eius arbitrio et auctoritate P. Africani gestus
non obscurus fuit. Alter autem C. Fannius M. filius,
C. Laelii gener, et moribus et ipso genere dicendi durior.
Is soceri instituto — quem, quia cooptatus in augurum 101
conlegium non erat, non admodum diligebat, praesertim
cum ille Q. Scaevolam sibi minorem natu generum prae-
tulisset; cui tamen Laelius se excusans non genero mi-
nori dixit se illud, sed maiori filiae detulisse — is tamen
instituto Laelii Panaetium audiverat. Eius omnis in
dicendo facultas historia ipsius non ineleganter scripta
perspici potest, quae neque nimis est infans neque per-
fecte diserta. Mucius autem augur, quod pro se opus 102
erat, ipse dicebat, ut de pecuniis repetundis contra T.
Albucium. Is oratorum in numero non fuit, iuris civilis
intellegentia atque omni prudentiae genere praestitit.

Menelao: teacher of the Gracchi in oratory.

ceteris: cf. 104.

praesertim cum goes back to the question of Fannius's ability to write his own speech.

elinguis: *e* priv., as in *egelidus*, *elumbis* (Tac. *Dial.* 18): cf. 258. n.; Tac. *ib.* 36, *mutum et elinguem*.

101. **instituto**, *arrangement*: cf. 213.

cooptatus: 1. n.

Scaevolam: the augur; 212.

sibi: Quintilian (VII. 9. 12) is hypercritical on the ambiguity of this reflexive; the context makes the reference clear.

illud: *i.e.* that honor.

is tamen, although there was ill feeling: the trouble as to the *cooptatio* was not the only or the first cause of the dislike.

Panaetium: 114; a celebrated philosopher and teacher, a friend of Scipio and Lælius. His softened Stoicism found great favor at Rome. His chief work was made the foundation of Cicero's *de Officiis*; *de Off.* III. 2. 10; *ad Att.* XVI. 11. 4.

historia: 299; Cicero, *de Leg.* I. 2. 6, says of that set of historians, *quamquam ex his alius alio plus habet virium, tamen quid tam exile quam isti omnes?*

102. **pro se**: B.C. 120, when attacked for maladministration as prætor (the year before) in Asia. He was acquitted, and in 117 B.C. became consul.

repetundis: 106. n.

is: *i.e.* Mucius.

prudentiae: 97; 322; especially frequent of legal knowledge. Cf. *jurisprudence*; and Justinian's *Inst.*

L. Caelius Antipater scriptor, quem ad modum videtis, fuit ut temporibus illis luculentus, iuris valde peritus, multorum etiam ut L. Crassi magister.

27 103 Utinam in Ti. Graccho Gaioque Carbone talis mens ad rem publicam bene gerendam fuisset, quale ingenium ad bene dicendum fuit: profecto nemo his viris gloria praestitisset. Sed eorum alter propter turbulentissimum tribunatum, ad quem ex invidia foederis Numantini bonis iratus accesserat, ab ipsa re publica est interfectus; alter propter perpetuam in populari ratione levitatem morte voluntaria se a severitate iudicum vindicavit. Sed fuit uterque summus orator; atque hoc memoria patrum
104 teste dicimus. Nam et Carbonis et Gracchi habemus orationes nondum satis splendidas verbis, sed acutas prudentiaeque plenissimas. Fuit Gracchus diligentia Corneliae matris a puero doctus et Graecis litteris eru-

Praef. 2, where *prudentia = iuris prudentia*.

videtis: his history of the second Punic war was much read.

luculentus: 76.

27. 103. **turbulentissimum**: 28; 223; 273; *de Or.* II. 11. 48; II. 31. 135. The aristocratic party had no words too harsh for the tribuneship of Gracchus.

Numantini: the disgraceful treaty made B.C. 137 by Mancinus as consul, Gracchus being his quaestor. The senate repudiated it, though Gracchus (and Scipio) spoke strenuously in favor of maintaining it. Hence the **invidia**: cf. Quint. VII. 4. 13.

ipsa re publica: but cf. 107, *duce privato*.

levitatem: Carbo, consul B.C. 120, turned completely around, justified the murder of C. Gracchus, and was despised by both parties; cf. *de Or.* II. 25. 106; II. 39. 165.

vindicavit: 329; when attacked by the young orator Crassus; the exact charge is not known. Cf. *de Or.* I. 10. 40; *ad Fam.* IX. 21. 3, *Gaius accusante L. Crasso cantharidas sumpsisse dicitur*. A sample of Crassus's reasoning is given, *de Or.* II. 40. 170.

summus: cf. 296.

104. **nondum**: 69. n.; 333.

Gracchus: *de Or.* I. 9. 38, *omnium mihi videor, exceptis, Crasse, vobis duobus, eloquentissimos audisse Ti. et C. Sempronios*; *de Harusp. resp.* 19. 41. Quintilian couples the Gracchi with Cato as antiquated; II. 5. 21; VIII. 5. 33; XII. 10. 10 and 45. But see Tac. *Dial.* 18, *Catoni seni comparatus C. Gracchus plenior et uberior*.

Corneliae: daughter of the great Scipio, and one of the noblest of Roman women: 211; Quint. I. 1. 6; Tac. *Dial.* 28.

ditus; nam semper habuit exquisitos e Graecia magistros, in eis iam adulescens Diophanem Mytilenaeum Graeciae temporibus illis disertissimum. Sed ei breve tempus ingenii augendi et declarandi fuit; Carbo, cui 105
vita suppeditavit, est in multis iudiciis causisque cognitus. Hunc qui audierant prudentes homines, in quibus familiaris noster L. Gellius, qui se illi contubernalem in consulatu fuisse narrabat, canorum oratorem et volubilem et satis acrem atque eundem et vehementem et valde dulcem et perfacetum fuisse dicebat; addebat industrium etiam et diligentem et in exercitationibus commentationibusque multum operae solitum esse ponere. Hic optimus illis temporibus est patronus habitus 106
eoque forum tenente plura fieri iudicia coeperunt. Nam et quaestiones perpetuae hoc adulescente constitutae sunt, quae antea nullae fuerunt — L. enim Piso tribunus plebis legem primus de pecuniis repetundis Censorino et Manilio consulibus tulit; ipse etiam Piso et causas egit et multarum legum aut auctor aut dissuasor fuit;

Diophanem: who lost his life with Ti. Gracchus.

breve: according to Plutarch, he was less than 30 years old at his death.

105. **suppeditavit**: 124; 245; *Phil.* III. 6. 15.

prudentes, *of good judgment.*

contubernalem: (lit. from *taberna*, a tent-companion) here = *colleague*, a word transferred from military usage; *pro Sull.* 12. 34.

canorum: *de Sen.* 9. 28, where Reid says the word implies the combination of power with clearness; *de Or.* III. 7. 28.

volubilem: *i.e.* of easily rolling speech, *pro Flac.* 20. 48; cf. 246. In 108, *volubilis oratio.*

dicebat: agreeing with **Gellius**, as nearer than **homines**.

106. **patronus,** *advocate*, but not = the Latin *advocatus*: cf. *pro Clu.* 40. 110, *quis eum umquam non modo in patroni, sed in laudatoris aut advocati loco viderat?* 289. n.

coeperunt: the act. form of *coepi*, with pass. infin., is found in Cicero only with *fieri* and reflexive verbs; see *ad Fam.* XIV. 18. 1; *Tusc.* III. 27. 66; cf. Lucr. II. 613, *coepisse creari;* Tac. *Hist.* I. 16, *eligi coepimus;* III. 34, *occidi coepere.*

quaestiones perpetuae: trials before a standing commission, a prætor presiding. They embraced the trials for *repetundae, ambitus,* etc. Cf. 264. n.

nullae: 91; for the same phrasing concerning Piso's law, see *de Off.* II. 21. 75, *nulla antea cum fuisset.*

tulit: B.C. 149.

isque et orationes reliquit, quae iam evanuerunt, et annalis sane exiliter scriptos — et iudicia populi, quibus aderat Carbo, iam magis patronum desiderabant, tabella data; quam legem L. Cassius Lepido et Mancino consulibus tulit.

28 107 Vester etiam D. Brutus M. filius, ut ex familiari eius L. Accio poeta sum audire solitus, et dicere non inculte solebat et erat cum litteris Latinis tum etiam Graecis ut temporibus illis eruditus; quae tribuebat idem Accius etiam Q. Maximo L. Paulli nepoti. Et vero ante Maximum, illum Scipionem, quo duce privato Ti. Gracchus occisus est, cum omnibus in rebus vehementem tum
108 acrem aiebat in dicendo fuisse. Tum etiam P. Lentulus ille princeps ad rem publicam dumtaxat quod opus esset satis habuisse eloquentiae dicitur; isdemque temporibus L. Furius Philus perbene Latine loqui putabatur litteratiusque quam ceteri; P. Scaevola valde prudenter et acute, paulo etiam copiosius; nec multo minus prudenter M'. Manilius. Appii Claudii volubilis, sed paulo fer-

evanuerunt: Quint. XII. 10. 75, *evanescunt haec atque emoriuntur comparatione meliorum;* cf. 323.

exiliter: cf. *de Or.* II. 12. 53.

magis: after open voting was discontinued, less depended on other influences, more on carrying the convictions of the *iudices*.

quam legem, sc. **tabellariam**: 97.

28. 107. **familiari**: cf. *pro Arch.* 11. 27.

nepoti: his father was an adopted Fabius. The Fabius of our text was a nephew of the younger Scipio, and pronounced his funeral eulogy; *pro Mur.* 36. 76.

Scipionem, *Nasicam Serapionem.*

privato: *Tusc.* IV. 23. 51, *ipse privatus, ut si consul esset, qui rem publicam salvam esse vellent, se sequi iussit.*

108. **Lentulus**, *consul suffectus*, B.C. 162: elsewhere called *princeps*, or *princeps senatus; e.g. de Or.* I. 48. 211; *Phil.* VIII. 4. 14.

satis: enough for political affairs; not enough to appear as an advocate in court; cf. 135; 165; 178; 222; 268.

dumtaxat: 222; 285; the verb-like adverb; cf. *de Or.* I. 58. 249, and Wilkins's note: *at any rate.*

Furius: Africanus, Lælius, and Furius are classed together, *de Or.* II. 37. 154; *pro Arch.* 7. 16; *de Rep.* III. 3. 5.

Appii: father-in-law of Ti. Gracchus.

vidior erat oratio. In aliquo numero etiam M. Fulvius Flaccus et C. Cato, Africani sororis filius, mediocres oratores; etsi Flacci scripta sunt, sed ut studiosi litterarum. Flacci autem aemulus P. Decius fuit, non infans ille quidem, sed ut vita sic oratione etiam turbulentus.
M. Drusus C. f., qui in tribunatu C. Gracchum conle- 109
gam, iterum tribunum, fregit, vir et oratione gravis et auctoritate, eique proxime adiunctus C. Drusus frater fuit. Tuus etiam gentilis, Brute, M. Pennus facile agitavit in tribunatu C. Gracchum, paulum aetate antecedens; fuit enim M. Lepido L. Oreste consulibus quaestor Gracchus, tribunus Pennus, illius Marci filius, qui cum Q. Aelio consul fuit; sed is omnia summa sperans aedilicius est mortuus. Nam de T. Flaminino, quem ipse vidi, nihil accepi nisi Latine diligenter locutum.

His adiuncti sunt C. Curio, M. Scaurus, P. Rutilius, 29 110
C. Gracchus. De Scauro et Rutilio breviter licet dicere, quorum neuter summi oratoris habuit laudem et uterque in multis causis versatus erat; in quibusdam laudandi viri, etiamsi maximi ingenii non essent, probabiles tamen industria; quamquam his quidem non omnino ingenium, sed oratorium ingenium defuit. Ne-

Decius: accuser of Opimius, for the death of C. Gracchus; *de Or.* II. 30. 132 sq.

109. **Drusus**: *de Fin.* IV. 24. 66, *conferam avum tuum* (*M.*) *Drusum cum C. Graccho eius fere aequali: quae hic rei publicae vulnera inponebat, eadem ille sanabat.*

tuus gentilis: both were of the *gens Iunia.*

agitavit, *harassed:* Quint. XII. 8. 9, *agitandus . . . et evocandus.* Some editors prefer *facete* to *facile*, which would give the verb a lighter meaning; cf. *Or.* 44. 149, *scite exagitat.*

consulibus: B.C. 126.

consul: B.C. 167.

sperans, = 'looking forward to.'

aedilicius: cf *consularis.*

nam: (I have not mentioned T. Flamininus with these) *for*, etc.; 259. Cf. Reid's *pro Arch.* p. 59.

diligenter: *i.e.* with care and accuracy.

29. 110. **Curio**: 122 sq.

probabiles: *i.e.* deemed worthy of approval; cf. 263, with stronger *probatus* added. One meaning is merely *plausible; de Or.* I. 14. 63, *illud est probabilius, neque tamen verum.*

que enim refert videre quid dicendum sit, nisi id queas solute et suaviter dicere; ne id quidem satis est, nisi id
111 quod dicitur fit voce, voltu, motuque conditius. Quid dicam opus esse doctrina? sine qua etiam si quid bene dicitur adiuvante natura, tamen id, quia fortuito fit, semper paratum esse non potest. In Scauri oratione, sapientis hominis et recti, gravitas summa et naturalis quaedam inerat auctoritas, non ut causam, sed ut testi-
112 monium dicere putares, cum pro reo diceret. Hoc dicendi genus ad patrocinia mediocriter aptum videbatur, ad senatoriam vero sententiam, cuius erat ille princeps, vel maxime; significabat enim non prudentiam solum, sed, quod maxime rem continebat, fidem. Habebat hoc a natura ipsa, quod a doctrina non facile posset; quamquam huius quoque ipsius rei, quem ad modum scis, praecepta sunt. Huius et orationes sunt et tres ad L. Fufidium libri scripti de vita ipsius lectu sane utiles; quos nemo legit. At Cyri vitam et disciplinam legunt, praeclaram illam quidem, sed neque tam nostris rebus
30 113 aptam nec tamen Scauri laudibus anteponendam. Ipse etiam Fufidius in aliquo patronorum numero fuit. Rutilius autem in quodam tristi et severo genere dicendi

nisi: cf. *de Or.* II. 27. 120, *prudentiae est paene mediocris quid dicendum sit videre; alterum est, in quo oratoris vis illa divina virtusque cernitur, ea quae dicenda sunt, ornate, copiose, varieque dicere.*

solute: in a good sense: 202; 280.

conditius: 177; *de Or.* II. 56. 227.

111. **Scauri**: cf. *de Or.* I. 49. 214, *prudentia tamen rerum magnarum magis quam dicendi arte nititur.*

112. **cuius**, sc. **senatus**: implied in the adj.

significabat, *betokened*: sc. **hoc . . . genus.**

quod . . . continebat: *i.e.* in which lay the thing of main importance, which most contributed to success.

huius rei: referring to **fidem**; here = the faculty of winning confidence.

nemo legit . . . legunt: cf. Hor. *Sat.* I. 1. 1 sq., *ut nemo . . . contentus vivat, laudet*, etc.

Cyri, etc.: Xenophon's celebrated Cyropædia.

nec tamen: although **praeclaram.**

versatus est. Erat uterque natura vehemens et acer;
itaque cum una consulatum petivissent, non ille solum,
qui repulsam tulerat, accusavit ambitus designatum
competitorem, sed Scaurus etiam absolutus Rutilium in
iudicium vocavit. Multaque opera multaque industria
Rutilius fuit, quae erat propterea gratior, quod idem
magnum munus de iure respondendi sustinebat. Sunt 114
eius orationes ieiunae; multa praeclara de iure; doctus
vir et Graecis litteris eruditus, Panaetii auditor, prope
perfectus in Stoicis; quorum peracutum et artis plenum
orationis genus scis tamen esse exile nec satis populari
adsensioni adcommodatum. Itaque illa, quae propria est
huius disciplinae philosophorum de se ipsorum opinio,
firma in hoc viro et stabilis inventa est; qui cum inno- 115
centissimus in iudicium vocatus esset, quo iudicio con-
volsam penitus scimus esse rem publicam, cum essent
eo tempore eloquentissimi viri L. Crassus et M. Anto-
nius consulares, eorum adhibere neutrum voluit. Dixit

30. 113. **uterque**: Scaurus and Rutilius.

designatum, *elected*: cf. 180, *praetor designatus*, *praetor elect*.

respondendi: cf. 98; 306. The privileged class of jurists, whose *responsa* had an official sanction, came in with the empire.

114. **Stoicis**: cf. *Nat. D.* I. 6. 15.

peracutum: cf. 118. *Peracutus* is a frequent word in this treatise; see, *e.g.*, 145, 224, 234, 241, 264. The work seems also to have an unusual share of other adjectives, and of adverbs, compounded with *per*; for adj., see 41, 55, 92, 105, 158, 167, 168; 212, 239, 244, 247, 273, 292; for adv., 11, 14, 108, 197, 202, 207, 227. It is perhaps noteworthy that so few of these easy and expressive Latin compounds (where *per* is intensive and makes a pleasantly indefinite degree of comparison) have been transferred to English.

exile: cf. *de Or.* III. 18. 66, *accedit quod orationis etiam genus* [*Stoici*] *habent fortasse subtile et certe acutum, sed, ut in oratore, exile, inusitatum, abhorrens ab auribus vulgi, obscurum, inane, ieiunum, ac totum eius modi, quo uti ad vulgus nullo modo possis;* II. 38. 159; Quint. X. 1. 84.

adsensioni: 290.

disciplinae: cf. 94; there *teachings*; here *school*; *de Off.* I. 2. 5.

firma: cf. *de Or.* I. 53.

115. **vocatus**: by his enemies, the *publicani*, whose extortions he had repressed.

convolsam, *shaken*, not absolutely overthrown; cf. *labefactare*.

neutrum: cf. Quint. XI. 1. 12,

ipse pro sese et pauca C. Cotta, quod sororis erat filius, — et is quidem tamen ut orator, quamquam erat admodum adulescens, — sed Q. Mucius enucleate ille quidem et polite, ut solebat, nequaquam autem ea vi atque copia, quam genus illud iudicii et magnitudo causae postulabat.

116 Habemus igitur in Stoicis oratoribus Rutilium, Scaurum in antiquis. Utrumque tamen laudemus, quoniam per illos ne haec quidem in civitate genera hac oratoria laude caruerunt; volo enim ut in scaena, sic etiam in foro non eos modo laudari, qui celeri motu et difficili utantur, sed eos etiam, quos statarios appellant, quorum sit illa simplex in agendo veritas, non molesta.

81 117 Et quoniam Stoicorum est facta mentio, Q. Aelius Tubero fuit illo tempore, L. Paulli nepos, nullo in oratorum numero, sed vita severus et congruens cum ea disciplina quam colebat, paulo etiam durior; qui quidem in tribunatu iudicaverit contra P. Africani avunculi sui testimonium vacationem augures, quo minus iudiciis operam darent, non habere; et ut vita sic oratione durus, incultus, horridus; itaque honoribus maiorum respondere non potuit. Fuit autem constans civis et fortis et in

illo paene Socratico genere defensionis est usus; de Or. I. 54.

Cotta: 202.

Mucius, the *pontifex maximus*: Rutilius had been his *legatus* in Asia, B.C. 98, and there earned the hatred of the *publicani*.

116. **antiquis**: *i.e.* severely simple; cf. 94; 132; *pro Rab. Post.* 10. 27, *Rutilius, documentum antiquitatis*.

genera, *styles*: the Stoic and the old-time.

statarios: 239; the word is here doubly metaphorical; properly a military term (Liv. IX. 19; XXII. 18); it was carried over to the stage, whence Cicero transfers it to the forum.

molesta, *affected*: cf. 143; 315; Quint. XI. 3. 183.

81. 117. **severus**: cf. Quint. I. 10. 15.

congruens: 141.

durior: cf. *pro Mur.* 36. 75, where Cicero says that Tubero showed a 'perverse wisdom' in meanly arranging the funeral feast for Scipio, and lost a prætorship in consequence.

qui quidem, *since he*, etc.: *a* ground (not the only one) for the preceding statement.

avunculi: the younger Scipio.

vacationem, *exemption*.

respondere, *correspond to, match*.

primis Graccho molestus, quod indicat Gracchi in eum
oratio, sicut etiam in Gracchum Tuberonis; is fuit
mediocris in dicendo, doctissimus in disputando.' Tum 118
Brutus: 'Quam hoc idem in nostris contingere intellego
quod in Graecis, ut omnes fere Stoici prudentissimi in
disserendo sint et id arte faciant sintque architecti paene
verborum, eidem traducti a disputando ad dicendum
inopes reperiantur. Unum excipio Catonem, in quo per-
fectissimo Stoico summam eloquentiam non desiderem,
quam exiguam in Fannio, ne in Rutilio quidem magnam,
in Tuberone nullam video fuisse.' Et ego, 'Non,' in- 119
quam, 'Brute, sine causa, propterea quod istorum in
dialecticis omnis cura consumitur, vagum illud orationis
et fusum et multiplex non adhibetur genus. Tuus autem
avunculus, quem ad modum scis, habet a Stoicis id
quod ab illis petendum fuit; sed dicere didicit a dicendi
magistris eorumque more se exercuit. Quodsi omnia
a philosophis essent petenda, Peripateticorum institutis
commodius fingeretur oratio. Quo magis tuum, Brute, 120
iudicium probo, qui eorum [id est, ex vetere Academia,]
philosophorum sectam secutus es, quorum in doctrina

Graccho, sc. Gaio.

118. **quam**, *how*, qualifying intellego; cf. *ad Att.* IX. 2 a., 1.

disserendo: 120; 143; 276; Quint. X. 1. 81.

arte: cf. 46.

architecti, *artificers*: *pro Clu.* 22. 60, *ipsum principem atque architectum sceleris*; *de Fin.* I. 10. 32.

disputando: *Or.* 32. 113, *disputandi ratio et loquendi dialecticorum sit, oratorum autem dicendi et ornandi.*

Catonem, sc. Uticensem: uncle of Brutus; Quint. XI. 1. 36, *Cato eloquens senator fuit.*

perfectissimo: for superl., cf. *Or.* 1. 3; 15. 47; a title of honor under the later emperors.

desiderem: relative clause giving a reason. For the meaning, cf. 2. n.

119. **dialecticis**: *Top.* 2. 6, *iudicandi enim vias diligenter persecuti sunt* [*Stoici*] *ea scientia quam* διαλεκτικὴν *appellant; inveniendi artem, quae* τοπικὴ *dicitur, quae et ad usum potior erat et ordine naturae certe prior, totam reliquerunt.*

vagum: in a good sense; cf. *de Or.* II. 16. 67.

Peripateticorum: cf. *de Or.* I. 10. 43; II. 38. 160.

120. **sectam**: *i.e.* the Academic

atque praeceptis disserendi ratio coniungitur cum suavitate dicendi et copia; quamquam ea ipsa Peripateticorum Academicorumque consuetudo in ratione dicendi talis est, ut nec perficere oratorem possit ipsa per sese nec sine ea orator esse perfectus. Nam ut Stoicorum astrictior est oratio aliquantoque contractior quam aures populi requirunt, sic illorum liberior et latior quam patitur consuetudo iudiciorum et fori. Quis enim ube-
121 rior in dicendo Platone? Iovem sic aiunt philosophi, si Graece loquatur, loqui. Quis Aristotele nervosior, Theophrasto dulcior? Lectitavisse Platonem studiose, audivisse etiam Demosthenes dicitur, idque apparet ex genere et granditate verborum; dicit etiam in quadam epistula hoc ipse de sese. Sed et huius oratio in philosophiam translata pugnacior, ut ita dicam, videtur et illorum in iudicia pacatior.

82
122 Nunc reliquorum oratorum aetates, si placet, et gradus persequamur.' 'Nobis vero,' inquit Atticus, 'et vehementer quidem, ut pro Bruto etiam respondeam.' 'Curio fuit igitur eiusdem aetatis fere sane inlustris orator, cuius de ingenio ex orationibus eius existimari

school; cf. 149; 332. The word is oftener thus used by the post-Augustan writers; *e.g.* Quint. III. 1. 18 and 22; V. 7. 35; V. 13. 59. *Secta* = a *cut* or beaten *way;* cf. Verg. *Aen.* VI. 899; Quint. III. 1. 14. Cf. the old ecclesiastical use of *way* for the principles and practice of a sect or denomination.

oratio: 121; 265; 282: = *style* of speaking.

latior: *Or.* 32. 114; *de Fin.* II. 6. 17.

consuetudo iudiciorum: cf. the equivalent expression *iudicialis consuetudo, pro Arch.* 12. 32.

121. **Platone**: *de Or.* I. 11. 47, *longe omnium in dicendo gravissimo et eloquentissimo; Or.* 1. 5; 19. 62; Quint. X. 1. 81.

sic: to be taken with **loqui**.

granditate: 29.

epistula: cf. *Or.* 4. 15, and Sandys's note. This letter is not extant, and, like others attributed to Demosthenes, was probably spurious.

pugnacior: *de Or.* II. 78. 317; Quint. IX. 4. 126 and 130.

82. 122. **gradus**: 186; 285; Juv. xi. 46; cf. 281.

nobis: sc. placet.

Curio: a sentence is quoted from him, *de Inv.* I. 43. 80.

potest; sunt enim et aliae et pro Ser. Fulvio de incestu nobilis oratio. Nobis quidem pueris haec omnium optima putabatur, quae vix iam comparet in hac turba
novorum voluminum.' 'Praeclare,' inquit Brutus, 'teneo 123
qui istam turbam voluminum effecerit.' Et ego, 'Intellego,' inquam, 'Brute, quem dicas; certe enim et boni aliquid attulimus iuventuti, magnificentius quam fuerat genus dicendi et ornatius; et nocuimus fortasse, quod veteres orationes post nostras, non a me quidem, (meis enim illas antepono,) sed a plerisque legi sunt desitae.' 'Numera,' inquit, 'me in plerisque: quamquam video mihi multa legenda iam te auctore, quae antea contem-
nebam.' 'Atqui haec,' inquam, 'de incestu laudata 124
oratio puerilis est locis multis; de amore, de tormentis, de rumore loci sane inanes, verum tamen nondum tritis nostrorum hominum auribus nec erudita civitate tolerabiles. Scripsit etiam alia nonnulla et multa dixit et inlustria et in numero patronorum fuit, ut eum mirer, cum et vita suppeditavisset et splendor ei non defuisset, consulem non fuisse.

Sed ecce in manibus vir et praestantissimo ingenio 88 125

nobilis, *noted.*

comparet: indic.; *Or.* 71. 234.

123. **teneo**, in mind; = **intellego** below; cf. *pro Clu.* 68. 194; Lucr. II. 1173.

istam, *i.e.* of which you speak: **turba** has a good meaning.

aliquid attulimus: cf. *Or.* 30. 108, *nemo enim orator tam multa ne in Graeco quidem otio scripsit quam multa sunt nostra.*

iuventuti: *i.e.* to young orators (for imitation).

magnificentius: cf. 81. n. The word goes to the verge of good taste in self-appreciation, but was not quite what it has become in English.

desitae: the act. form goes with the infin. act., less often with the infin. pass.; the pass. form (like *coeptus est*) with the infin. pass. only. Cf. *ad Fam.* IX. 21. 2; *de Off.* II. 8. 27; Liv. XLII. 49.

iam te auctore, = 'now that you counsel it.'

124. **haec**: see 122.

tormentis: *Part. Orat.* 14. 50.

tritis, *practised*: *ad Fam.* IX. 16. 4.

splendor, *distinction* (though he failed to reach the highest honor).

88. 125. **in manibus**: *i.e.* close at hand; not like *de Sen.* 4. 12, *est in manibus laudatio;* cf. *de Am.*

et flagranti studio et doctus a puero, C. Gracchus; noli enim putare quemquam, Brute, pleniorem aut uberiorem ad dicendum fuisse.' Et ille, 'Sic prorsus,' inquit, 'existimo atque istum de superioribus paene solum lego.' 'Immo plane,' inquam, 'Brute, legas censeo; damnum enim illius immaturo interitu res Romanae
126 Latinaeque litterae fecerunt. Utinam non tam fratri pietatem quam patriae praestare voluisset! Quam ille facile tali ingenio, diutius si vixisset, vel paternam esset vel avitam gloriam consecutus! Eloquentia quidem nescio an habuisset parem neminem. Grandis est verbis, sapiens sententiis, genere toto gravis; manus extrema non accessit operibus eius; praeclare incohata multa, perfecta non plane. Legendus, inquam, est hic orator, Brute, si quisquam alius, iuventuti; non enim solum acuere, sed etiam alere ingenium potest.

127 Huic successit aetati C. Galba, Servii illius eloquentissimi viri filius, P. Crassi eloquentis et iuris periti gener. Laudabant hunc patres nostri, favebant etiam propter patris memoriam; sed cecidit in cursu, nam rogatione Mamilia, Iugurthinae coniurationis invidia, cum

27. 102, *qui illam [virtutem illius viri] semper in manibus habui;* Verg. *Georg.* II. 45, *in manibus terrae; Aen.* X. 280; and in general it illustrates the Latin preference for concretes.

a puero: the phrase used of his brother, 104; cf. 210.

istum: cf. **illius** below, where Cicero speaks.

plane: 282, *perfecte planeque.*

censeo: cf. *ad Fam.* IV. 2. 4, *censeo facias; ad Q. Fr.* I. 3. 7; *de Am.* 5. 17. As with *volo*, etc., *ut* is omitted.

damnum: emphatic by position.

immaturo: through violence, as in the case of his brother.

126. **avitam**: of the elder Africanus.

genere toto: 129; nearly = *throughout.*

manus extrema: artists' phrase; Verg. *Aen.* VII. 572, *extremam Saturnia bello inponit regina manum.* Cf. also *summa manus*, with *imponere*, Quint. I. *Pro.*, 4; with *deesse*, X. 1. 97.

ingenium: for this word with **acuere**, cf. Quint. I. 3. 11; I. 4. 6; I. 10. 34; with **alere**, I. 8. 8; II. 5. 18; VIII. *Pro.*, 2; XII. 6. 6.

127. **in cursu**: in the midst of his career; 236.

Mamilia: B.C. 110; cf. Sall. *Iug.* 40.

invidia: cf. Sall. *Iug.* 40, *sed plebes*

pro sese ipse dixisset, oppressus est. Exstat eius pero-
ratio, qui epilogus dicitur; qui tanto in honore pueris
nobis erat ut eum etiam edisceremus. Hic, qui in con-
legio sacerdotum esset, primus post Romam conditam
iudicio publico est condemnatus. P. Scipio, qui est in 84 128
consulatu mortuus, non multum ille quidem nec saepe
dicebat, sed et Latine loquendo cuivis erat par et omnis
sale facetiisque superabat. Eius conlega L. Bestia bonis
initiis orsus tribunatus — nam P. Popilium vi C. Gracchi
expulsum sua rogatione restituit — vir et acer et non
indisertus, tristis exitus habuit consulatus; nam invi-
diosa [lege Mamilia] quaestione C. Galbam sacerdotem
et quattuor consularis, L. Bestiam, C. Catonem, Sp.
Albinum civemque praestantissimum L. Opimium, Grac-
chi interfectorem, a populo absolutum, cum is contra
populi studium stetisset, Gracchani iudices sustulerunt.
Huius dissimilis in tribunatu reliquaque omni vita civis 129
improbus C. Licinius Nerva non indisertus fuit. C.
Fimbria temporibus isdem fere, sed longius aetate pro-

incredibile memoratu est quam intenta fuerit quantaque vi rogationem iusserit, decreverit, voluerit, magis odio nobilitatis, cui mala illa parabantur, quam cura rei publicae.

epilogus: *de Or.* II. 69. 278; *ad Att.* IV. 15. 4; oftener in Quintilian.

edisceremus: more fully, *ediscere ad verbum; de Or.* I. 34. 157; Quint. XI. 2. 44.

qui . . . esset, *though he was:* cf. *de Am.* 2. 7, end.

publico: before that a priest was judged by his own college.

84. 128. **Scipio**: son of Serapio, 107.

Latine: *i.e.* in good Latin; 140; 166; 258; *Opt. Gen. Or.* 2. 4, *pure et emendate loquentes, quod est Latine; de Or.* I. 32. 144.

orsus: corresponding to **exitus**, as **tribunatus** to **consulatus**; not tautological with **initiis**, as is shown by its etymology.

Albinum; whose campaign against Jugurtha was begun with a show of great vigor, but proved fruitless, as was charged, through bribery; cf. Sall. *Iug.* 35 sq.

Opimium: cf. *pro Sest.* 67. 140, *quaedam civem egregium iniqui iudicii procella pervertit.* This 'excellent citizen' was doubtless bribed by Jugurtha (Sall. *Iug.* 16), and the 'unjust judgment' lighted on a corrupt group.

Gracchani, *equites* made *iudices* by a law of C. Gracchus.

sustulerunt, *ruined*, deprived of civil rights; cf. *oppressus est*, 127.

129. **Huius**, *Bestiae*.

vectus, habitus est sane, ut ita dicam, luculentus *accusator*, asper, maledicus, genere toto paulo fervidior atque commotior; diligentia tamen et virtute animi atque vita bonus auctor in senatu; idem tolerabilis patronus nec rudis in iure civili et cum virtute tum etiam ipso orationis genere liber; cuius orationes pueri legebamus, quas
130 iam reperire vix possumus. Atque etiam ingenio et sermone eleganti, valetudine incommoda C. Sextius Calvinus fuit; qui etsi, cum remiserant dolores pedum, non deerat in causis, tamen id non saepe faciebat. Itaque consilio eius, cum volebant, homines utebantur, patrocinio, cum licebat. Isdem temporibus M. Brutus, in quo magnum fuit, Brute, dedecus generi vestro, qui, cum tanto nomine esset patremque optimum virum habuisset et iuris peritissimum, accusationem factitaverit, ut Athenis Lycurgus. Is magistratus non petivit, sed fuit accusator vehemens et molestus, ut facile cerneres naturale quoddam stirpis bonum degeneravisse
131 vitio depravatae voluntatis. Atque eodem tempore

luculentus: see textual notes.

commotior: 317.

virtute animi, *vigor of mind.*

auctor: *de Or.* I. 49. 215; III. 17. 63; in each of these places is the added gen., *publici consilii.*

liber, *independent.*

130. **eleganti**: Quint. V. 13. 48, *vir ingenii iucundi et elegantis.*

Calvinus: perhaps the one spoken of *de Or.* II. 61. 249, where *claudicat* corresponds to **dolores pedum**. That Calvinus was also *luscus*, but sharp-sighted enough to turn the tables on Appius; *de Or.* II. 60. 246, *Cenabo, inquit* [*Appius*], *apud te . . . uni enim locum esse video: illud egregium Sextii et ex tempore, Manus lava, inquit, et cena.*

remiserant: rarely intransitive.

id: the **non deerat** is a virtual affirmative.

Brutus: called *accusator; de Off.* II. 14. 50. For a specimen of Crassus's wit and severity, directed against this Brutus, see *de Or.* II. 55; *pro Clu.* 51; Quint. VI. 3. 44.

Lycurgus: if this clause is not an interpolation (B. and K. bracket it), Cicero does injustice in this stroke of comparison. Professor Jebb says, 'Lykurgos is indeed a striking and noble figure in the Athens of Philokrates.' 'By facing the bitterly invidious task of prosecuting disloyal citizens, he made his name to be, like that of Drakon, a symbol of severity'; *Att. Or.* II. 375.

is, *Brutus.*

depravatae: from *pravus, crook-*

accusator de plebe L. Caesulenus fuit, quem ego audivi iam senem, cum ab L. Sabellio multam lege Aquilia damni iniuria petivisset. Non fecissem hominis paene infimi mentionem, nisi iudicarem qui suspiciosius aut criminosius diceret audivisse me neminem. Doctus **85**
etiam Graecis T. Albucius, vel potius plane Graecus. Loquor, ut opinor; sed licet ex orationibus iudicare. Fuit autem Athenis adulescens, perfectus Epicureus evaserat, minime aptum ad dicendum genus.

Iam Q. Catulus non antiquo illo more, sed hoc nos- 132
tro, nisi quid fieri potest perfectius, eruditus; multae litterae, summa non vitae solum atque naturae, sed orationis etiam comitas, incorrupta quaedam Latini sermonis integritas; quae perspici cum ex orationibus eius potest tum facillime ex eo libro, quem de consulatu et de rebus gestis suis conscriptum molli et Xenophonteo genere sermonis misit ad A. Furium poetam, familiarem

ed; cf. *wrong* and *wring;* and 184.

131. **Aquilia**: a law *de damno iniuria dato*, as in killing another's slave or beast; Gaius, *Inst.* III. 110 sq.

suspiciosius: = 'so as to give more weight to suspicion': cf. *Part. Orat.* 33. 114; Quint. IV. 2. 81, *quae cum accusator suspiciose narret, reus levare suspicionem debeat.*

criminosius: = 'so as to heighten more an accusation'; 221; *ad Heren.* IV. 40. 52; Quint. IX. 2. 23.

85. Graecis: neut.; = *Graecis litteris*, 169; *pro Arch.* 10. 23, *Graeca leguntur in omnibus fere gentibus; de Off.* I. 1. 1, *semper cum Graecis Latina coniunxi.*

perfectus: somewhat like our colloquial use of the word. Cf. 118. n.

evaserat: 175; 299; *evadere* 'denotes a result which is produced or attained after a considerable time.' M. 221. n.

132. **Catulus**: 259. He is honored with a part in *de Oratore.*

nostro: the Græco-Roman, as contrasted with the old Roman (antiquo).

nisi quid . . . perfectius: *i.e.* not to say that 'our' style had then reached its fullest development. Cf. Pid.

incorrupta: cf. *de Or.* III. 8. 29, *quid iucundius auribus nostris umquam accidit huius oratione Catuli? quae est pura sic ut Latine loqui paene solus videatur.*

Xenophonteo: cf. *de Or.* II. 14. 58; *Or.* 9. 32; 19. 62.

misit, = *dedicated: de Sen.* 1. 3; *Nat. D.* I. 7. 16.

Furium: he wrote annals in hexameter verse.

suum; qui liber nihilo notior est quam illi tres, de qui-
133 bus ante dixi, Scauri libri.' Tum Brutus, 'Mihi quidem,' inquit, 'nec iste notus est nec illi. Sed haec mea culpa est; numquam enim in manus inciderunt. Nunc autem et a te sumam et conquiram ista posthac curiosius.' 'Fuit igitur in Catulo sermo Latinus; quae laus dicendi non mediocris ab oratoribus plerisque neglecta est. Nam de sono vocis et suavitate appellandarum litterarum, quoniam filium cognovisti, noli exspectare quid dicam. Quamquam filius quidem non fuit in oratorum numero, sed non deerat ei tamen in sententia dicenda cum prudentia tum elegans quoddam et eruditum ora-
134 tionis genus. Nec habitus est tamen pater ipse Catulus princeps in numero patronorum, sed erat talis, ut, cum quosdam audires qui tum erant praestantes, videretur esse inferior, cum autem ipsum audires sine comparatione, non modo contentus esses, sed melius non quaere-
135 res. Q. Metellus Numidicus et eius conlega M. Silanus dicebant de re publica, quod esset illis viris et consulari dignitati satis. M. Aurelius Scaurus non saepe dicebat, sed polite; Latine vero in primis est eleganter locutus. Quae laus eadem in A. Albino bene loquendi fuit; nam flamen Albinus etiam in numero est habitus disertorum; Q. etiam Caepio, vir acer et fortis, cui fortuna belli

ante: 112.

133. **numquam enim**, etc.: *i.e.* I have not taken pains enough to seek for them, and they have never come to me without seeking.

Latinus: 128. n.

suavitate: 259; *de Or.* III. 11. 42.

dicenda, *i.e. in senatu.*

134. **sine comparatione**: 173.

melius: the neut. expresses a general idea, including the orator, the satisfaction of hearing him, and the results of his speaking.

135. **conlega**: *i.e.* in the consulship, B.C. 109.

nam: (and there is another of the same name), *for*, etc.

flamen: otherwise unknown.

Caepio: he was disastrously defeated in the Cimbrian war. He incurred invidia by a law (*lex Servilia*) restoring the office of *iudices* to the senators.

crimini, invidia populi calamitati fuit. Tum etiam C. L. 86 136
Memmii fuerunt oratores mediocres, accusatores acres atque acerbi; itaque in iudicium capitis multos vocaverunt, pro reis non saepe dixerunt. Sp. Thorius satis valuit in populari genere dicendi, is qui agrum publicum vitiosa et inutili lege vectigali levavit. M. Marcellus Aesernini pater non ille quidem in patronis, sed et in promptis tamen et non inexercitatis ad dicendum fuit, ut filius eius P. Lentulus. L. etiam Cotta, praetorius, 137
in mediocrium oratorum numero, dicendi non ita multum laude processerat, sed de industria cum verbis tum etiam ipso sono quasi subrustico persequebatur atque imitabatur antiquitatem.

Atque ego et in hoc ipso Cotta et in aliis pluribus intellego me non ita disertos homines et rettulisse in oratorum numerum et relaturum; est enim propositum

86. 136. **C. L.**: for asyndeton, cf. 169; 242.

accusatores . . . acerbi: four words in noteworthy alliteration. Cf. Professor Peck, Trans. Am. Philol. Assoc. 1884.

reis: *de Or.* II. 43. 183, *reos autem appello non eos modo qui arguuntur, sed omnis quorum de re disceptatur; sic enim olim loquebantur;* II. 79. 321. Here, of course, it has the later and narrower meaning.

lege: the *lex Thoria*, of which only fragments are extant.

vectigali: (abl. of separation), lightened it of taxes, lessened the revenue. But some commentators reverse the ablatives, and thus the passage would mean, 'freed the public land from the effects of an injurious law, informally passed, by imposing a fixed rent': so Mommsen, quoted by Wilkins, *de Or.* II. 70. 284: cf. Jahn and Pid. Then the *vitiosa lex* would be the *lex Sempronia:* for the adj., cf. *Phil.* II. 33. 84, *vitiosus consul,* where *vitiosus = vitio creatus;* Liv. VIII. 23. Ihne holds the *lex Thoria* to be the one characterized in our text.

Marcellus: rather singularly, the name procured by his misfortune at Æsernia attached to his son; but the need of distinction did not allow him to escape the connection himself, — he is known as **Aesernini pater**. See n. on *patrem*, 222; and cf. the oriental custom of naming father from son.

Lentulus: having the name by adoption into this branch of the *gens Cornelia.*

137. **processerat**: 180.

antiquitatem: cf. *de Or.* III. 11. 42; III. 12. 46.

propositum: *Part. Orat.* 4. 14; cf. Eng. *purpose*, through O. French.

conligere eos qui hoc munere in civitate functi sint, ut tenerent oratorum locum; quorum quidem quae fuerit ascensio et quam in omnibus rebus difficilis optimi perfectio atque absolutio ex eo, quod dicam, existimari
138 potest. Quam multi enim iam oratores commemorati sunt et quam diu in eorum enumeratione versamur, cum tamen spisse atque vix, ut dudum ad Demosthenem et Hyperidem, sic nunc ad Antonium Crassumque pervenimus! Nam ego sic existimo, hos oratores fuisse maximos et in his primum cum Graecorum gloria Latine dicendi copiam aequatam.

87 139 Omnia veniebant Antonio in mentem; eaque suo quaeque loco, ubi plurimum proficere et valere possent, ut ab imperatore equites, pedites, levis armatura, sic ab illo in maxime opportunis orationis partibus conlocabantur. Erat memoria summa, nulla meditationis suspicio; imparatus semper adgredi ad dicendum videbatur, sed ita erat paratus ut iudices illo dicente non numquam
140 viderentur non satis parati ad cavendum fuisse. Verba ipsa non illa quidem elegantissimo sermone, itaque diligenter loquendi laude caruit — neque tamen est

perfectio, absolutio: the two words are coupled, *de Or.* I. 28. 130; cf. III. 22. 84.

138. **spisse**: cf. *ad Att.* X. 18. 2, *omnia tarda adhuc et spissa; de Or.* II. 53. 213.

dudum: 252; *de Or.* II. 65. 262, *dixi enim dudum;* the sense is *aforetime*, but not *long* ago, except in certain combinations.

87. 139. **Antonio**: one of Cicero's favorites, in describing and illustrating the orator. In *de Oratore* he plays a part second only to that of Crassus; cf. 142. n.

Omnia veniebant in mentem corresponds to invention; **eaque suo quaeque loco** to arrangement; **erat memoria summa** gives another of the five parts of oratory (see 25. n.); and so in *de Or.* II. Antonius is made to treat of these three subjects.

imperatore: cf. *ad Heren.* III. 10. 18, *haec dispositio locorum, tamquam instructio militum, facillime in dicendo, sicut illa in pugnando, parare poterit victoriam.*

cavendum: *e.g.* in his defence of Aquilius; see *de Or.* II. 28. 124; II. 47. 194; Quint. II. 15. 7.

140. **verba**: the third (*elocutio*) of the five parts of oratory; 25. n.

admodum inquinate locutus—sed illla quae proprie laus
oratoris est in verbis. Nam ipsum Latine loqui est
illud quidem, ut paulo ante dixi, in magna laude ponen-
dum, sed non tam sua sponte quam quod est a plerisque
neglectum; non enim tam praeclarum est scire Latine
quam turpe nescire; neque tam id mihi oratoris boni
quam civis Romani proprium videtur. Sed tamen
Antonius in verbis et eligendis, neque id ipsum tam
leporis causa quam ponderis, et conlocandis et compre-
hensione devinciendis nihil non ad rationem et tamquam
ad artem dirigebat; verum multo magis hoc idem in
sentetiarum ornamentis et conformationibus. Quo ge- 141
nere quia praestat omnibus Demosthenes, idcirco a doc-
tis oratorum est princeps iudicatus; *σχήματα* enim quae
vocant Graeci, ea maxime ornant orationem, eaque non
tam in verbis pingendis habent pondus quam in inlumi-
nandis sententiis. Sed cum haec magna in Antonio, 38
tum actio singularis. Quae si partienda est in gestum
atque vocem, gestus erat non verba exprimens, sed cum
sententiis congruens, manus, umeri, latera, supplosio

inquinate: 258, where it is the opposite of *recte*; cf. *Opt. Gen. Or.* 3. 7, where *inquinatum* is a subdivision of *vitiosum in verbis*.

illa: sc. **caruit**.

ante: 133.

sua sponte: *i.e.* on its own account.

civis: 261.

rationem: cf. n. on *via*, 46.

sententiarum: as contrasted with words (**verba ipsa**, above); cf. 141.

conformationibus, *figurative shaping*: *Or.* 39. 136; Quint. IX. 1. 4.

141. *σχήματα*: 69.

pingendis: *ad Att.* I. 14. 3, *totum hunc locum, quem ego varie meis orationibus . . . soleo pingere.*

inluminandis: *Or.* 39. 136, *nec quicquam est aliud dicere nisi omnis aut certe plerasque aliqua specie inluminare sententias.*

38. actio: the last of the five parts of oratory; 25. n.

exprimens: *de Or.* III. 59. 220. For this (rare) pred. use of pres. part., cf. *de Sen.* 8. 26, *etiam sit operosa et semper agens aliquid et moliens*; Nep. *Epam.* 3, *erat . . . temporibus sapienter utens*; *de Off.* II. 3. 11, *alia rationis expertia sunt, alia ratione utentia*; cf. 14. n.

manus: *de Or.* III. 59. 220, *manus autem minus arguta, digitis subsequens verba, non exprimens.*

supplosio: 158; 278; *de Or.*

pedis, status, incessus omnisque motus [cum verbis sententiisque consentiens]; vox permanens, verum subrauca natura. Sed hoc vitium huic uni in bonum convertebat.
142 Habebat enim flebile quiddam in conquestionibus aptumque cum ad fidem faciendam tum ad misericordiam commovendam; ut verum videretur in hoc illud, quod Demosthenem ferunt ei, qui quaesivisset quid primum esset in dicendo, actionem, quid secundum, idem, et idem tertium respondisse. Nec ulla res magis penetrat in animos eosque fingit, format, flectit talisque oratores videri facit, qualis ipsi se videri volunt.

143 Huic alii parem esse dicebant, alii anteponebant L. Crassum; illud quidem certe omnes [ita] iudicabant, neminem esse qui horum altero utro patrono cuiusquam

III. 59. 220, *supplosio pedis in contentionibus aut incipiendis aut finiendis;* I. 53. 230; III. 12. 47; Quint. XI. 3. 128.

status: *Or.* 18. 59, *status erectus et celsus.*

incessus: = 'walking back and forth'; ibid., *rarus incessus nec ita longus*, where it is distinguished from *excursio*, 'stepping forward'; Quint. XI. 3. 126.

omnisque motus: like the half-dozen phrases preceding, amplifying **gestus**, and connected with **cum sententiis congruens**: the bracketed words are held by most editors to be a gloss.

convertebat: intrans., *de Or.* III. 29. 114, *num* [*virtus*] *in vitium possit convertere;* Lucr. V. 1422; cf. *vertere*, Lucr. IV. 1130; V. 831.

142. **flebile,** *pathetic:* Quint. XI. 3. 64.

conquestionibus: *de Inv.* I. 55. 106, *conquestio est oratio auditorum misericordiam captans.*

actionem: *de Or.* III. 56. 213, *huic* [*actioni*] *primas dedisse Demosthenes dicitur, cum rogaretur, quid in dicendo esset primum; huic secundas, huic tertias; Or.* 17. 56.

fingit sq.: the three verbs are not less forcible and distinct than alliterative; cf. *de Or.* III. 45. 177, *formamus et fingimus.*

For judgments elsewhere given concerning Antonius, cf. *de Or.* I. 38. 172, *Antonii incredibilis quaedam et prope singularis et divina vis ingenii videtur;* I. 62. 263, *tua illa mirifica ad refellendum consuetudine, qua tibi nemo umquam praestitit;* II. 28. 125; II. 73. 296; III. 9. 32; *Or.* 5. 18; *Tusc.* V. 19. 55, *M. Antonii, omnium eloquentissimi quos ego audierim.* The last passage is the only one in which Cicero seems to award the palm of eloquence to Antonius over Crassus.

143. **alii**: cf. 186.

Crassum: the Roman orator to whom (in that older generation) Cicero gives the preference, and through whom, in *de Oratore*, he sets forth his own views.

ingenium requireret. Equidem quamquam Antonio tan-
tum tribuo quantum supra dixi, tamen Crasso nihil
statuo fieri potuisse perfectius. Erat summa gravitas,
erat cum gravitate iunctus facetiarum et urbanitatis ora-
torius, non scurrilis lepos, Latine loquendi adcurata et
sine molestia diligens elegantia, in disserendo mira ex-
plicatio, cum de iure civili, cum de aequo et bono dispu-
taretur; argumentorum et similitudinum copia. Nam 89 144
ut Antonius coniectura movenda aut sedanda suspicione
aut excitanda incredibilem vim habebat, sic in interpre-
tando, in definiendo, in explicanda aequitate nihil erat
Crasso copiosius; idque cum saepe alias tum apud cen-
tumviros in M'. Curii causa cognitum est. Ita enim 145

Crasso nihil: cf. 144; 285. n.

scurrilis: cf. *de Or.* II. 60. 244 sq.; II. 59. 239; *Or.* 26. 88; Quint. VI. 3. 29.

lepos: cf. *de Or.* II. 54. 220, *id, quod tu mihi tribuis, Antoni, Crasso est omnium sententia concedendum: non enim fere quisquam reperietur praeter hunc in utroque genere leporis excellens; et illo, quod in perpetuitate sermonis, et hoc, quod in celeritate atque dicto est.*

explicatio: *i.e.* clearness of exposition; cf. 152.

aequo et bono: for other instances of this combination, see 145; 198; *pro Caecin.* 23. 65; Sall. *Iug.* 35; *et saepe.*

similitudinum: cf. *Top.* 10. 41 sq.

89. 144. **interpretando**: 146; Quint. III. 4. 3, *obscure dicta interpretamur.*

centumviros: 'The patrician institution of the *iudices* was balanced by the *centumviri*, who might be plebeians'; Hunter's Introd. to Rom. Law, p. 178. It is commonly held that three of the *centumviri* were taken from each of the 35 tribes, making 105 in all. Ortolan supposes that there were at first (about B.C. 366) four from each tribe, when the tribes numbered but 25; Mears's analysis of Ortolan's Rom. Law, p. 18. Under the emperors the number grew to 180. See, however, Madvig, *Verfassung u. Verwaltung d. Röm. Staates*, II. p. 228, whose account shows that we have very imperfect *data* for positive statements concerning this body of judges. For the jurisdiction of this court, the most significant passage is *de Or.* I. 38. 173; cf. Wilkins's note, l.c.; and Long's *Cic. Orationes*, I. p. 52.

causa: 197–8; *de Or.* I. 39. 180; *pro Caecin.* 18. 53; one of the most celebrated private causes in the administration of Roman law. Curius was made alternate heir, in case of the death of a posthumous son. No son was born, and Scævola, the greatest living lawyer, contended for a strict interpretation of the will; no first heir, no second heir. Crassus maintained the evident intention of the testator; no surviving son, Curius to be heir. He won the case on this equitable interpretation.

multa tum contra scriptum pro aequo et bono dixit, ut
hominem acutissimum Q. Scaevolam et in iure, in quo
illa causa vertebatur, paratissimum obrueret argumento-
rum exemplorumque copia; atque ita tum ab his patronis
aequalibus et iam consularibus causa illa dicta est, cum
uterque ex contraria parte ius civile defenderet, ut elo-
quentium iuris peritissimus Crassus, iuris peritorum
eloquentissimus Scaevola putaretur. Qui quidem cum
peracutus esset ad excogitandum quid in iure aut in
aequo verum aut esset aut non esset, tum verbis erat ad
146 rem cum summa brevitate mirabiliter aptus. Qua re
sit nobis orator in hoc interpretandi, explanandi, edisse-
rendi genere mirabilis, sic ut simile nihil viderim; in
augendo, in ornando, in refellendo magis existimator
40 147 metuendus quam admirandus orator. Verum ad Cras-
sum revertamur.'

Tum Brutus, 'Etsi satis,' inquit, 'mihi videbar habere
cognitum Scaevolam ex eis rebus quas audiebam saepe
ex C. Rutilio, quo utebatur perfamiliariter Scaevola, ut
nosti, tamen ista mihi eius dicendi tanta laus nota non
erat; itaque cepi voluptatem tam ornatum virum tam-
148 que excellens ingenium fuisse in nostra re publica.' Hic
ego, 'Noli,' inquam, 'Brute, existimare his duobus quic-
quam fuisse in nostra civitate praestantius. Nam ut

145. **contra scriptum**: cf. *de Inv.* II. 47. 138.

Scaevolam: 194 sq.

peritissimus: *de Or.* I. 39. 180. Crassus is made to apply both of these expressions to Scævola. For a like antithesis, see 148.

aptus: 264; *de Or.* II. 13. 56; here = *suited* (**ad rem**).

146. **sit nobis**: = 'let us rank him.'

augendo: 82. n.

existimator: 92. n.

40. 147. **habere cognitum**: 163; a rare combination, equivalent to a stronger perfect; from which have come perf. forms in modern languages. Cf. *ad Fam.* IV. 2. 4, *si habes iam statutum quid tibi agendum putes;* Cæs. *B. G.* VII. 54, *perfidiam Aeduorum perspectam habebat.*

cepi: cf. 1. We speak of 'taking pleasure,' but not of 'taking pain.'

paulo ante dixi consultorum alterum disertissimum, disertorum alterum consultissimum fuisse, sic in reliquis rebus ita dissimiles erant inter sese, statuere ut tamen non posses utrius te malles similiorem. Crassus erat elegantium parcissimus, Scaevola parcorum elegantissimus; Crassus in summa comitate habebat etiam severitatis satis, Scaevolae multa in severitate non deerat
tamen comitas. Licet omnia hoc modo; sed vereor ne 149
fingi videantur haec, ut dicantur a me quodam modo; res tamen sic se habet. Cum omnis virtus sit, ut vestra, Brute, vetus Academia dixit, mediocritas, uterque horum medium quiddam volebat sequi; sed ita cadebat, ut alter ex alterius laude partem, uterque autem suam totam haberet.'

Tum Brutus, 'Cum ex tua oratione mihi videor,' in- 150
quit, 'bene Crassum et Scaevolam cognovisse, tum de te et de Ser. Sulpicio cogitans esse quandam vobis cum illis similitudinem iudico.' 'Quonam,' inquam, 'istuc modo?' 'Quia mihi et tu videris,' inquit, 'tantum iuris civilis scire voluisse quantum satis esset oratori, et Servius eloquentiae tantum adsumpsisse ut ius civile facile posset tueri; aetatesque vestrae, ut illorum, nihil aut
non fere multum differunt.' Et ego, 'De me,' inquam, 41 151

148. **disertissimum**: 81. n.; here used for the *eloquentissimus* of 145.

ita . . . ut tamen: cf. 203.

malles: cf. *de Or.* III. 7. 26, *qui omnes inter se dissimiles fuerunt, sed ita tamen, ut neminem sui velis esse dissimilem.*

parcorum, *plain, simple.*

149. **licet**: sc. an infin.; = 'one can keep on in this strain of comparison.'

vestra: cf. 120.

mediocritas: cf. *de Off.* I. 25. 89, *quae est inter nimium et parum: quae placet Peripateticis,*— a more accurate statement than the one in our text; cf. Arist. *Eth. Nicom.* II. 5.

medium, *golden mean.*

150. **Sulpicio**: a digression from Crassus.

tantum iuris: cf. 306; *Or.* 34. 120, *ius civile teneat, quo egent causae forenses cotidie; de Am.* I. 1; Quint. XII. 3. 10.

aetates: the age of Sulpicius is nowhere more definitely given.

'dicere nihil est necesse; de Servio autem et tu probe dicis et ego dicam quod sentio. Non enim facile quem dixerim plus studii quam illum et ad dicendum et ad omnis bonarum rerum disciplinas adhibuisse. Nam et in isdem exercitationibus ineunte aetate fuimus, et postea una Rhodum ille etiam profectus est, quo melior esset et doctior; et, inde ut rediit, videtur mihi in secunda arte primus esse maluisse quam in prima secundus. Atque haud scio an par principibus esse potuisset; sed fortasse maluit, id quod est adeptus, longe omnium non eiusdem modo aetatis, sed eorum etiam qui fuissent, in
152 iure civili esse princeps.' Hic Brutus, 'Ain' tu?' inquit; 'etiamne Q. Scaevolae Servium nostrum anteponis?' 'Sic enim,' inquam, 'Brute, existimo, iuris civilis magnum usum et apud Scaevolam et apud multos fuisse, artem in hoc uno. Quod numquam effecisset ipsius iuris scientia, nisi eam praeterea didicisset artem quae doceret rem universam tribuere in partis, latentem explicare definiendo, obscuram explanare interpretando, ambigua primum videre, deinde distinguere, postremo habere regulam qua vera et falsa iudicarentur et quae quibus
153 propositis essent quaeque non essent consequentia. Hic enim attulit hanc artem omnium artium maximam quasi lucem ad ea, quae confuse ab aliis aut respondebantur

41. 151. **quem**; indef.; cf. *de Off.* III. 19. 76, *dixerit quis;* III. 28. 102; Hor. *Sat.* II. 1. 82; Liv. V. 7.

Rhodum: 316; B.C. 78.

melior: *i.e.* as an orator.

secunda: *Or.* 41. 141, *quis umquam dubitavit quin in re publica nostra primas eloquentia tenuerit semper urbanis pacatisque rebus, secundas iuris scientia?*

152. **ain' tu**: = *aisne tu* (*Or.* 45. 154); an expression of surprise, incredulity, or irony, colloquial in form and use; cf. *ain' tandem, ain' vero;* especially frequent in comedy; Plaut. *Capt.* 892, *Ain' tu? dubium habebis etiam, sancte quom ego iurem tibi?*

usum, *familiarity*.

tribuere: *Or.* 4. 16; *de Or.* I. 15. 68.

consequentia: cf. *Or.* 4. 16; *Tusc.* V. 25. 72; Quint. V. 10. 2.

153. **respondebantur**: 113. n.

aut agebantur.' 'Dialecticam mihi videris dicere,' in- 42
quit. 'Recte,' inquam, 'intellegis; sed adiunxit etiam et litterarum scientiam et loquendi elegantiam, quae ex scriptis eius, quorum similia nulla sunt, facillime perspici potest.' Cumque discendi causa duobus peritissi- 154
mis operam dedisset, L. Lucilio Balbo et C. Aquilio Gallo, Galli hominis acuti et exercitati promptam et paratam in agendo et in respondendo celeritatem subtilitate diligentiaque superavit; Balbi docti et eruditi hominis in utraque re consideratam tarditatem vicit expediendis conficiendisque rebus. Sic et habet quod uterque eorum habuit, et explevit quod utrique defuit. Itaque, ut Crassus mihi videtur sapientius fecisse quam 155
Scaevola — hic enim causas studiose recipiebat, in quibus a Crasso superabatur, ille se consuli nolebat, ne qua in re inferior esset quam Scaevola — sic Servius sapientissime, cum duae civiles artes ac forenses plurimum et laudis haberent et gratiae, perfecit, ut altera praestaret omnibus, ex altera tantum adsumeret quantum esset et ad tuendum ius civile et ad obtinendam consularem dignitatem satis.' Tum Brutus, 'Ita prorsus,' inquit, 'et 156
antea putabam, — audivi enim nuper eum studiose et fre-

42. dialecticam: 119; 309.

litterarum: cf. *de Or.* I. 34. 158, *legendi etiam poetae, cognoscendae historiae, omnium bonarum artium doctores atque scriptores legendi et pervolutandi;* III. 32. 127.

scriptis: see *ad Fam.* IV. 5 and IV. 12; the former a letter of consolation to Cicero after the death of Tullia.

154. **operam**: after *dare operam* the dat. of person is rare.

respondendo: cf. 169; **celeritatem** shows that the word here has not the same meaning as just above, and it is placed *after* **agendo**; the two words = '*attack* and *reply*'; and **in utraque re** refers to these two things.

consideratam, *circumspect, cautious.*

155. **recipiebat**: 87. n.

sapientissime: substituted for **sapientius** just above. Cicero modestly declines to complete the comparison called for by Brutus, 150.

ad . . . dignitatem: an addition to the *ius civile* clause of 150.

156. **nuper**: B.C. 47.

quenter Sami, cum ex eo ius nostrum pontificium, qua ex parte cum iure civili coniunctum esset, vellem cognoscere, — et nunc meum iudicium multo magis confirmo testimonio et iudicio tuo. Simul illud gaudeo, quod et aequalitas vestra et pares honorum gradus et artium studiorumque quasi finitima vicinitas tantum abest ab obtrectatione et invidia, quae solet lacerare plerosque, uti ea non modo non exulcerare vestram gratiam, sed etiam conciliare videatur. Quali enim te erga illum perspicio, tali illum in te voluntate iudicioque cognovi.
157 Itaque doleo et illius consilio et tua voce populum Romanum carere tam diu; quod cum per se dolendum est tum multo magis consideranti ad quos ista non translata sint, sed nescio quo pacto devenerint.' Hic

Sami: on his return from Bithynia, where he had joined Cæsar.

nostrum: cf. 212, *conlega meus;* Brutus was a *pontifex*.

coniunctum: in the regal period at Rome, the king was also high-priest. Though under the republic the priestly office was detached from the highest magistracy, the laws concerning religion were still treated as a branch of the *ius civile*. 'The *ius civile* of the Romans is divisible into two parts [*e.g. de Sen.* 14. 50], *ius civile* in the narrower sense, and *ius pontificium*, or the law of religion;' cf. Long's *Cic. Orationes*, I. p. 48. The number in the pontifical college was at first five, including the *pontifex maximus*; afterward eight; increased by Sulla to fifteen, and by Cæsar to sixteen. The *pontifex maximus* was selected from the college by the *comitia tributa*. Cf. Mears's Ortolan's Rom. Law, pp. 8, 23. Cf. *de Or.* III. 33. 134, *ut ad eos de omnibus divinis atque humanis rebus referretur;* Verg. *Georg.* I. 269, *fas et iura sinunt*. The old ecclesiastical law in England had a close relationship with the Justinian code.

illud: the acc. with **gaudeo** is rare, usually cognate, or general; cf. Ter. *And.* 362, *iam id gaudeo;* Plaut. *Capt.* 842, *nil scio quod gaudeam*.

aequalitas: cf. 150.

finitima: not merely a neighborhood (**vicinitas**, fig. = 'similarity'), but one of common boundaries (= 'of closest relationship'); cf. *Or.* 32. 113, *vicinam eius atque finitimam dialecticorum scientiam adsumere*. The **quasi** here is not apologetic, but emphatic (as calling attention to the original and strong meaning of the word).

exulcerare: *de Or.* II. 75. 303, *ea quae sanare nequeunt, exulcerant*.

157. **ista**: the *consilium* and *vox* that should be yours.

translata: *i.e.* honorably, as to worthy hands.

devenerint: *i.e.* by a downward and disastrous drift; cf. Plaut. *Asin.*

Atticus, 'Dixeram,' inquit, 'a principio, de re publica ut sileremus; itaque faciamus; nam si isto modo volumus singulas res desiderare, non modo querendi, sed ne lugendi quidem finem reperiemus.'

'Pergamus ergo,' inquam, 'ad reliqua et institutum 48 158
ordinem persequamur. Paratus igitur veniebat Crassus, exspectabatur, audiebatur; a principio statim, quod erat apud eum semper adcuratum, exspectatione dignus videbatur; non multa iactatio corporis, non inclinatio vocis, nulla inambulatio, non crebra supplosio pedis; vehemens et interdum irata et plena iusti doloris oratio, multae et cum gravitate facetiae; quodque difficile est, idem et perornatus et perbrevis. Iam in alter- 159
cando invenit parem neminem; versatus est in omni fere genere causarum; mature in locum principum oratorum venit. Accusavit C. Carbonem eloquentissimum hominem admodum adulescens; summam ingenii non laudem modo, sed etiam admirationem est consecutus. Defendit postea Liciniam virginem, cum annos XXVII 160

105, *si forte in insidias devenero;* Lucr. VI. 1133, *utrum nos in loca deveniamus nobis adversa; ad Fam.* VII. 3. 3, *fuit . . . deveniendum in victoris manus;* R. 1914.

dixeram: 11.

a principio: also used without prep.; R. 1175.

non modo: *non* unnecessary, as **ne . . . quidem** follows. Cf. **non modo non**, 156; Madv. 461. *b.*

48. 158. **ordinem**: returning from the digression of 150.

exspectabatur: = 'was eagerly awaited.' Cf. 290; *de Or.* I. 39. 180.

statim: *de Or.* II. 77. 313, *male enim se res habet, quae non statim, ut dici coepta est, melior fieri videtur.*

non multa iactatio: cf. *de Or.* III. 9. 33, *quibus vestigiis primum institi, in eis fere soleo perorare.*

inclinatio: *Or.* 17. 56–7; Quint. XI. 3. 168.

inambulatio: like *incessus*, 141, but a word of less dignity; cf. Verg. *Aen.* I. 46, *incedo regina.*

doloris: 93. n.

159. **altercando**: 164; 173; from *alter.*

accusavit: 103. n.

adulescens: at the age of 21; Tacitus, *Dial.* 34, says 19.

160. **defendit**: B.C. 113. Licinia, one of three accused Vestals, had been acquitted the year before; but now a special investigation was ordered. The defence by Crassus (who was of the Licinian *gens*) was unsuccessful.

natus esset; in ea ipsa causa fuit eloquentissimus orationisque eius scriptas quasdam partis reliquit. Voluit adulescens in colonia Narbonensi causae popularis aliquid attingere eamque coloniam, ut fecit, ipse deducere; exstat in eam legem senior, ut ita dicam, quam illa aetas ferebat, oratio. Multae deinde causae; sed ita tacitus tribunatus ut, nisi in eo magistratu cenavisset apud praeconem Granium idque nobis bis narravisset Lucilius, tribunum plebis nesciremus fuisse.'

161 'Ita prorsus,' inquit Brutus; 'sed ne de Scaevolae quidem tribunatu quicquam audivisse videor et eum conlegam Crassi credo fuisse.' 'Omnibus quidem aliis,' inquam, 'in magistratibus, sed tribunus anno post fuit eoque in Rostris sedente suasit Serviliam legem Crassus. Nam censuram sine Scaevola gessit; eum enim magistratum nemo umquam Scaevolarum petivit. Sed haec Crassi cum edita oratio est, quam te saepe legisse certo scio, quattuor et triginta tum habebat annos, totidemque annis mihi aetate praestabat; his enim consuli-

adulescens: B.C. 118.

Narbonensi: at Narbo Marcius, the second Roman settlement in Southern Gaul, the first being Aquæ Sextiæ; now Narbonne. Cf. *pro Font.* 5. 13.

popularis: the aristocratic party opposed the measure, and Crassus was not yet committed to them.

in eam legem: it appears from *pro Clu.* 51. 140, that there was a *rogatio* against establishing the colony, and on this the great speech of Crassus was made; the text there is, *in dissuasione rogationis eius, quae contra coloniam Narbonensem ferebatur*. 'The term *rogatio* included every proposed *lex*, *plebiscitum*, and *privilegium*. . . . *Lex rogata* is equivalent to *lex lata*'; Here *in eam* **legem** would be suggested by the two *rogationes*, one of which became a *lex*; and **eam** as bearing on the main proposal.

senior: 327; cf. 265.

tribunatus: B.C. 107.

Granium: 172; *de Or.* II. 60. 244; II. 62. 254; II. 70. 281; *pro Planc.* 14. 33, *ille L. Crassi, ille M. Antonii voluntatem asperioribus facetiis saepe perstrinxit impune.*

161. **sedente**, *presiding*.

Serviliam: 135. n.

nam: (there is another seeming exception, only seeming); then **nam** corresponds to the first part of the supplied thought, **enim** to the last part.

certo scio, *I am sure*: *certo* has a specific use with *scio*; cf. A. & G. 151. *c*, and Reid on *de Sen.* 1. 2.

habebat: cf. Quint. VIII. 5. 17.

bus eam legem suasit, quibus nati sumus, cum ipse esset Q. Caepione consule natus et C. Laelio, triennio ipso minor quam Antonius; quod idcirco posui, ut dicendi Latine prima maturitas in qua aetate exstitisset, posset notari et intellegeretur iam ad summum paene esse perductam, ut eo nihil ferme quisquam addere posset, nisi qui a philosophia, a iure civili, ab historia fuisset in-
structior.' 'Erit,' inquit Brutus, 'aut iam est iste, 44 162
quem exspectas?' 'Nescio,' inquam. 'Sed est etiam L. Crassi in consulatu pro Q. Caepione defensio[ne iuncta] non brevis ut laudatio, ut oratio autem brevis; postrema censoris oratio, qua anno duodequinquagesimo usus est. In his omnibus inest quidam sine ullo fuco veritatis color; quin etiam comprehensio et ambitus ille verborum, si sic *περίοδον* appellari placet, erat apud illum contractus et brevis, et in membra quaedam, quae *κῶλα*
Graeci vocant, dispertiebat orationem libentius.' Hoc 163
loco Brutus, 'Quandoquidem tu istos oratores,' inquit, 'tanto opere laudas, vellem aliquid Antonio praeter

ipso: 61.

posui: 218; 219; 277; cf. 165.

a philosophia: cf. 233; 273; a = *on the side of;* Cæs. *B. G.* III. 25, *renuntiaverunt non eadem esse diligentia ab decumana porta castra munita.*

instructior: cf. *de Or.* I. 17. 77.

44. 162. **aut**: = *or rather;* not a double question requiring *an.*

consulatu: B.C. 95.

defensio: see textual notes. Cæpio had been condemned and exiled eight years before; cf. Wilk. *de Or.* p. 9.

laudatio: cf. Quint. III. 4. 12 and 15, *est igitur, ut dixi, unum genus, quo laus ac vituperatio continetur, sed est appellatum a parte meliore laudativum; idem alii demonstrativum vocant . . . alterum est deliberativum, tertium iudiciale.*

censoris: B.C. 92; 164. n.

usus est: rarely employed of delivering an oration.

color: 171; *de Or.* III. 25. 96; *color* is a favorite word with Quintilian also.

ambitus: 34. n.; this word is a close rendering of the Greek.

membra: *Or.* 62. 211; 66. 223; Quint. IX. 4. 123; *ad Heren.* IV. 19. 26, *ex duobus membris solis haec exornatio potest constare; sed commodissima et absolutissima est, quae ex tribus constat, hoc pacto. . . . Nec rei publicae consuluisti nec amicis profuisti nec inimicis restitisti.*

163. **Antonio**: in the same construction as **Crasso**.

illum de ratione dicendi sane exilem libellum, plura Crasso libuisset scribere; cum enim omnibus memoriam sui, tum etiam disciplinam dicendi nobis reliquissent; nam Scaevolae dicendi elegantiam satis ex eis orationi-
164 bus, quas reliquit, habemus cognitam.' Et ego, 'Mihi quidem a pueritia quasi magistra fuit,' inquam, 'illa in legem Caepionis oratio, in qua et auctoritas ornatur senatus, quo pro ordine illa dicuntur, et invidia concitatur in iudicum et in accusatorum factionem, contra quorum potentiam populariter tum dicendum fuit. Multa in illa oratione graviter, multa leniter, multa aspere, multa facete dicta sunt; plura etiam dicta quam scripta, quod ex quibusdam capitibus expositis nec explicatis intellegi potest. Ipsa illa censoria contra Cn. Domitium conlegam non est oratio, sed quasi capita rerum et orationis commentarium paulo plenius; nulla est enim altercatio clamoribus umquam habita maiori-
165 bus. Et vero fuit in hoc etiam popularis dictio excellens; Antonii genus dicendi multo aptius iudiciis quam contionibus.

libellum: cf. *de Or.* I. 21. 94; I. 48. 208; *Or.* 5. 18; Quint. III. 1. 19. For a reason why Antonius wrote so little, see *pro Clu.* 50. 140, *ut . . . posset negare dixisse.*

Scaevolae: 145; for the two gen., cf. *de Sen.* 14. 50.

habemus cognitam: 147. n.

164. **magistra**: 296; 298.

in legem: here **in** = *upon*; cf. *de Off.* I. 9. 28; *ad Att.* VII. 1. 8.

ornatur: cf. *pro Clu.* 51. 140.

populariter: so as to carry the people with him.

expositis: 81. n.

contra: cf. *de Or.* II. 11. 45. Crassus and Domitius quarrelled through their censorship, agreeing in only one thing, the edict *de coercendis rhetoribus Latinis;* Gell. XV. 11. 2; Wilk. *de Or.* p. 12.

commentarium: sc. **volumen** = *outline; commentarii* (sc. *libri*) was the modest title given by Cæsar to the record of his wars; cf. 262; 55.

clamoribus: 326; *de Or.* I. 33. 152, *haec sunt, quae clamores et admirationes in bonis orationibus efficiunt; ad Att.* I. 14. 4, *quid multa? clamores:* cf. *de Or.* II. 56. 227 and 230.

165. **contionibus**: *de Or.* II. 82. 334, *contio capit omnem vim orationis et gravitatem varietatemque desiderat.*

Hoc loco ipsum Domitium non relinquo; nam etsi 45
non fuit in oratorum numero, tamen pono satis in eo
fuisse orationis atque ingenii, quo et magistratus perso-
nam et consularem dignitatem tueretur. Quod idem de
C. Caelio dixerim, industriam in eo summam fuisse
summasque virtutes, eloquentiae tantum quod esset in
rebus privatis amicis eius, in re publica ipsius dignitati
satis. Eodem tempore M. Herennius in mediocribus 166
oratoribus Latine et diligenter loquentibus numeratus
est; qui tamen summa nobilitate hominem, cognatione,
sodalitate, conlegio, summa etiam eloquentia, L. Philip-
pum in consulatus petitione superavit. Eodem tempore
C. Claudius, etsi propter summam nobilitatem et singu-
larem potentiam magnus erat, tamen etiam eloquentiae
quandam mediocritatem adferebat. Eiusdem fere tem- 167
poris fuit eques Romanus C. Titius, qui meo iudicio eo
pervenisse videtur, quo potuit fere Latinus orator sine
Graecis litteris et sine multo usu pervenire. Huius ora-

45. Domitium: as his cognomen was *Ahenobarbus*, Crassus could say (Suet. *Ner.* 2), *non esse mirandum, quod aheneam barbam haberet, cui os ferreum, cor plumbeum esset.*

pono: *de Or.* II. 20, 85, *tantum ego in excellenti oratore et eodem bono viro pono esse ornamenti universae civitati.*

Caelio: cf. *de Or.* I. 25. 117.

166. **eodem**: Herennius was consul, B.C. 93.

sodalitate: *comradeship* in what we should call clubs, or fraternities; *Q. Fr. de pet. Cons.* 5. 16; *de Sen.* 13. 45, and Reid's note.

conlegio: cf. 1. 'The priesthoods were charged with the worship of a specific divinity; the skilled colleges, on the other hand, were charged with the preservation of traditional rules regarding those more general religious observances, the proper fulfilment of which implied a certain amount of information, and rendered it necessary that the state in its own interest should provide for the faithful transmission of that information.' 'Under the Roman constitution, and that of the Latin communities in general, there were originally but two such colleges; that of the augurs, and that of the pontifices.' Momm. *Rom. Hist.* I. 12. This word, like the preceding one, refers to the influence arising from these associations of Philippus.

petitione, *candidacy;* B.C. 93. Two years later Philippus was successful.

Claudius: consul in the intervening year, B.C. 92.

167. **sine Graecis**: cf. the dis-

tiones tantum argutiarum, tantum exemplorum, tantum urbanitatis habent, ut paene Attico stilo scriptae esse videantur. Easdem argutias in tragoedias satis ille quidem acute, sed parum tragice transtulit; quem studebat imitari L. Afranius poeta, homo perargutus, in fabulis
168 quidem etiam, ut scitis, disertus. Fuit etiam Q. Rubrius Varro, qui a senatu hostis cum C. Mario iudicatus est, acer et vehemens accusator *et* in eo genere sane probabilis. Doctus autem Graecis litteris propinquus noster, factus ad dicendum, M. Gratidius, M. Antonii perfamiliaris, cuius praefectus cum esset in Cilicia, est interfectus, qui accusavit C. Fimbriam, M. Marii Gratidiani pater.

46 169 Atque etiam apud socios et Latinos oratores habiti sunt Q. Vettius Vettianus e Marsis, quem ipse cognovi, prudens vir et in dicendo brevis; Q. D. Valerii Sorani, vicini et familiares mei, non tam in dicendo admirabiles quam docti et Graecis litteris et Latinis; C. Rusticelius Bononiensis, is quidem et exercitatus et natura volubilis. Omnium autem eloquentissimus extra hanc urbem T. Betutius Barrus Asculanus, cuius sunt aliquot oratio-

advantage of an English orator who knows English alone.

argutiarum: 65; *Or.* 31. 110.

exemplorum: 198; *Top.* 10. 44; Quint. II. 4. 20, *exemplisque, quae sunt in omni genere causarum potentissima;* III. 8. 36; XII. 4.

Attico: 284.

tragice: 43; 203.

Afranius: one of the chief poets of the *fabula togata;* Crutt. 55. Cf. Quint. X. 1. 100; Hor. *Ep.* II. 1. 57.

168. **iudicatus**: B.C. 88.

probabilis, *acceptable;* cf. 110. n.

propinquus: great uncle; cf. *de Leg.* III. 16. 36.

interfectus: B.C. 102, in fighting the pirates.

accusavit: B.C. 102, for maladministration in his province. Fimbria was acquitted.

Gratidiani: adopted by a brother of C. Marius; cf. *de Or.* I. 39. 178.

46. 169. **socios**: 99.

Sorani: for Quintus, cf. *de Or.* III. 11. 43. Varro prized him, and quoted (*L. L.* VII. 31) a couplet of his.

vicini: Sora, on the river Liris, was a few miles north of Arpinum.

Bononiensis: Bononia is the modern Bologna.

nes Asculi habitae, *et* illa Romae contra Caepionem nobilis sane, cui orationi Caepionis ore respondit Aelius, qui scriptitavit orationes multis, orator ipse numquam fuit. Apud maiores autem nostros video disertissimum 170 habitum ex Latio L. Papirium Fregellanum Ti. Gracchi P. f. fere aetate: eius etiam oratio est pro Fregellanis coloniisque Latinis habita in senatu.'

Tum Brutus, 'Quid tu igitur,' inquit, 'tribuis istis externis quasi oratoribus?' 'Quid censes,' inquam, 'nisi idem quod urbanis? praeter unum, quod non est eorum urbanitate quadam quasi colorata oratio.' Et Brutus, 171 'Qui est,' inquit, 'iste tandem urbanitatis color?' 'Nescio,' inquam; 'tantum esse quendam scio. Id tu, Brute, iam intelleges cum in Galliam veneris. Audies tu quidem etiam verba quaedam non trita Romae, sed haec mutari dediscique possunt; illud est maius, quod in vocibus nostrorum oratorum retinnit quiddam et resonat urbanius; nec hoc in oratoribus modo apparet, sed etiam in ceteris. Ego memini T. Tincam Placentinum hominem 172 facetissimum cum familiari nostro Q. Granio praecone dicacitate certare.' 'Eon,' inquit Brutus, 'de quo multa

Asculi: in Picenum.

contra: Cæpio, when *quaestor urbanus*, had violently interposed to prevent the passage of the *lex frumentaria* proposed by the tribune Saturninus. He was afterward accused of treason.

170. **oratio**: occasion unknown.

urbanitate: Quint. VI. 3. 17, *qua quidem significari video sermonem praeferentem in verbis et sono et usu proprium quendam gustum urbis et sumptam ex conversatione doctorum tacitam eruditionem, denique cui contraria sit rusticitas;* VI. 3. 103; *de Or.* III. 11. 42.

171. **Galliam**: Cisalpine, of which Brutus had been appointed governor by Cæsar for this year (B.C. 46). Intr. VI. 2.

trita, *common; pro Flac.* 27. 65.

retinnit: cf. *tinnientem*, Quint. XII. 10. 31.

172. **Tincam**: cf. Quint. I. 5. 12. Placentia was south of the Padus.

dicacitate, *wit*, as distinguished from humor; *Or.* 26. 90, *Demosthenes . . . non tam dicax fuit quam facetus; est autem illud acrioris ingenii, hoc maioris artis;* Quint. VI. 3. 21, *dicacitas sine dubio a dicendo, quod est omni generi commune, ducta est, proprie tamen sig-*

Lucilius?' 'Isto ipso: sed Tincam non minus multa ridicule dicentem Granius obruebat nescio quo sapore vernaculo; ut ego iam non mirer illud Theophrasto accidisse, quod dicitur, cum percontaretur ex anicula quadam quanti aliquid venderet et respondisset illa atque addidisset "hospes, non pote minoris," tulisse eum moleste se non effugere hospitis speciem, cum aetatem ageret Athenis optimeque loqueretur. Omnino sic, ut opinor, in nostris est quidam urbanorum, sicut illic Atticorum sonus. Sed domum redeamus, id est, ad nostros revertamur.

47 173 Duobus igitur summis, Crasso et Antonio, L. Philippus proximus accedebat, sed longo intervallo tamen proximus; itaque eum, etsi nemo intercedebat qui se illi anteferret, neque secundum tamen neque tertium dixerim. Nec enim in quadrigis eum secundum numeraverim aut tertium qui vix e carceribus exierit, cum palmam iam primus acceperit, nec in oratoribus, qui tantum absit a primo vix ut in eodem curriculo esse videatur. Sed tamen erant ea in Philippo quae qui sine comparatione illorum spectaret satis magna diceret: summa libertas in oratione, multae facetiae; satis creber in reperiendis, solutus in explicandis sententiis; erat

nificat sermonem cum risu aliquos incessentem: ideo Demosthenen urbanum fuisse dicunt, δεινὸν negant.

vernaculo, *native.*

Theophrasto: Quint. VIII. 1. 2, *illa Attica anus Theophrastum, hominem alioqui disertissimum, adnotata unius adfectatione verbi hospitem dixit.*

hospes: = Gr. *ξένος*; cf. *Tusc.* I. 42. 101.

pote, sc. est: cf. Catul. 76. 16, *hoc facito, sive id non pote sive pote.*

sonus: Quint. XI. 3. 31, *nam sonis homines ut aera tinnitu dinoscimus; de Off.* I. 37. 133.

47. 173. **Crasso:** other utterances concerning Crassus may be found in *de Or.* I. 52. 225; II. 28. 122; II. 45. 188; II. 56. 228; III. 1. 1.

longo intervallo: Verg. *Aen.* V. 320.

neque secundum: Hor. *C.* I. 12. 18.

facetiae: for an illustration, see Hor. *Ep.* I. 7. 46.

solutus: 174; 245.

etiam in primis, ut temporibus illis, Graecis doctrinis institutus, in altercando cum aliquo aculeo et maledicto facetus. Horum aetati prope coniunctus L. Gellius non 174
tam vendibilis orator, quamvis nescires quid ei deesset; nec enim erat indoctus nec tardus ad excogitandum nec Romanarum rerum immemor et verbis solutus satis; sed in magnos oratores inciderat eius aetas. Multam tamen operam amicis et utilem praebuit, atque ita diu vixit ut multarum aetatum oratoribus implicaretur. Multum etiam in causis versabatur isdem fere tempori- 175
bus D. Brutus, is qui consul cum Mamerco fuit, homo et Graecis doctus litteris et Latinis. Dicebat etiam L. Scipio non imperite Gnaeusque Pompeius Sex. f. aliquem numerum obtinebat; nam Sex. frater eius praestantissimum ingenium contulerat ad summam iuris civilis et ad perfectam geometriae et rerum Stoicarum scientiam. Item in iure et ante hos M. Brutus et paulo post eum C. Bellienus homo per se magnus prope sine ulla oratione summus evaserat; qui consul factus esset, nisi in Marianos consulatus et in eas petitionis angustias

174. **non tam**: cf. *non ita*, 41.
vendibilis: (salable) *acceptable*; 264; *de Am*. 25. 96; *de Fin*. I. 4. 12.
immemor, *ignorant*; cf. 218.
inciderat: *Or*. 12. 39.
implicaretur: = 'was associated with.'

175. **consul**: B.C. 77.
Scipio: cf. *pro Sest*. 3. 7, *duxit uxorem* [*Sestius*] *patre vivo optimi et calamitosissimi viri filiam, L. Scipionis*. This 'man of calamities' was an opponent of Sulla, was defeated, betrayed, proscribed, and exiled.
Pompeius: father of Pompeius Magnus. For **Sextus**, cf. *de Or*. I. 15. 67; *de Off*. I. 6. 19.
numerum: a variation from the common phrase with *numero*, *e.g.* 78; for the sense of *rank*, *place*, cf. 117; *Phil*. III. 6. 16, *homo nullo numero*; *de Or*. III. 9. 33, *aliquo in numero*; *Or*. 61. 208.
nam: (I mention that Pompeius alone) *for*, etc.
M. Brutus: probably the jurist of 130.
Bellienus: of whom this is our only information.
per se magnus: 96. n.
oratione: as in 165 and 240, = *oratorical ability*.
petitionis angustias: *i.e.* difficulties in the way of his candidacy; cf. 166.

176 incidisset. Cn. autem Octavii eloquentia, quae fuerat ante consulatum ignorata, in consulatu multis contionibus est vehementer probata. Sed ab eis, qui tantum in dicentium numero, non in oratorum fuerunt, iam ad oratores revertamur.' 'Censeo,' inquit Atticus; 'eloquentis enim videbare, non sedulos velle conquirere.'

48
177 'Festivitate igitur et facetiis,' inquam, 'C. Iulius L. f. et superioribus et aequalibus suis omnibus praestitit oratorque fuit minime ille quidem vehemens, sed nemo umquam urbanitate, nemo lepore, nemo suavitate conditior. Sunt eius aliquot orationes, ex quibus, sicut ex eiusdem tragoediis, lenitas eius sine nervis perspici po-
178 test. Eius aequalis P. Cethegus, cui de re publica satis suppeditabat oratio; totam enim tenebat eam penitusque cognoverat; itaque in senatu consularium auctoritatem adsequebatur; sed in causis publicis nihil, in privatis satis veterator videbatur. Erat in privatis causis Q. Lucretius Vispillo et acutus et iuris peritus; nam Ofella contionibus aptior quam iudiciis; prudens etiam T. Annius Velina et in eius generis causis orator sane tolerabilis. In eodem genere causarum multum erat

176. **Octavii**: cf. Liv. *Epit.* 79, *L. Cornelius Cinna cum perniciosas leges per vim atque arma ferret, pulsus urbe a Cn. Octavio collega cum sex tribunis plebis.*

dicentium: cf. the distinction between *disertus* and *eloquens*, 81. n.

censeo: = 'that is right.'

sedulos: *i.e.* those who try hard (to be eloquent).

48. 177. **Iulius**: cf. *de Off.* I. 37. 133, *sale vero et facetiis Caesar, Catuli patris frater, vicit omnis; de Or.* II. 23. 98; II. 54. 216; III. 8. 30. He is made the representative of wit and humor in *de Oratore.*

nervis: Hor. *A. P.* 26, *sectantem levia nervi deficiunt animique.*

178. **consularium**: though he was not of them.

nihil: pred. nom.; cf. 285. n. Some prefer making it an adv. acc. in connection with **veterator**.

veterator: 82.

nam: ellipsis. Ofella was also of the Lucretian *gens*.

aptior: for the reversal of the dependent words, see 165.

multum erat: cf. Cæs. *B. G.* IV. 1, *multumque sunt in venationibus; de Fin.* V. 1. 3, *sum multum equidem cum Phaedro; de Rep.* I. 10. 16.

T. Iuventius nimis ille quidem lentus in dicendo et paene frigidus, sed et callidus et in capiendo adversario versutus et praeterea nec indoctus et magna cum iuris civilis intellegentia; cuius auditor P. Orbius meus fere 179 aequalis in dicendo non nimis exercitatus, in iure autem civili non inferior quam magister fuit. Nam T. Aufidius, qui vixit ad summam senectutem, volebat esse similis horum, eratque et bonus vir et innocens, sed dicebat parum; nec sane plus frater eius M. Vergilius, qui tribunus plebis L. Sullae imperatori diem dixit; eius conlega P. Magius in dicendo paulo tamen copiosior. Sed 180 omnium oratorum sive rabularum, qui et plane indocti et inurbani aut rustici etiam fuerunt, quos quidem ego cognoverim, solutissimum in dicendo et acutissimum iudico nostri ordinis Q. Sertorium, equestris C. Gargonium. Fuit etiam facilis et expeditus ad dicendum et vitae splendore multo et ingenio sane probabili T. Iunius L. f. tribunicius, quo accusante P. Sestius, praetor designatus, damnatus est ambitus. Is processisset honoribus longius, nisi semper infirma atque etiam aegra valetudine fuisset.

capiendo: *Or.* 19. 63, *docendi causa, non capiendi.* In neither passage is the using of unfair means implied.

versutus: 236; *Nat. D.* III. 10. 25, *homo sine dubio versutus et callidus* (*versutos eos appello, quorum celeriter mens versatur*).

179. **frater**: one conjecture (Smith's *Dict. Biog.* art. 'Vergilius') is that **frater** here = *frater patruelis;* cf. *ad Att.* I. 5. 1; Tac. *Ann.* III. 38; Liv. XXXV. 10.

diem dixit: for bringing Sulla to trial. This was done at the instigation of Cinna, B.C. 87. Sulla simply ignored the proceeding, and went on his way to the Mithridatic war.

180. **rabularum**: *de Or.* I. 46. 202; *Or.* 15. 47. The etymology is in dispute.

cognoverim: 57. n.

nostri, *sc.* **senatorii**; 205.

Sertorium: a partisan of Cinna and Marius, hero of many exploits, the invincible opponent of Metellus and Pompey in Spain. He was treacherously slain, B.C. 72. Plutarch wrote his life, comparing him with Eumenes.

Gargonium: of this and the two following names we have no other account.

49 181 Atque ego praeclare intellego me in eorum commemoratione versari, qui nec habiti sunt oratores neque fuerunt, praeteririque a me aliquot ex veteribus commemoratione aut laude dignos; sed hoc quidem ignoratione. Quid enim est superioris aetatis quod scribi possit de eis, de quibus nulla monumenta loquuntur nec aliorum nec ipsorum? De eis autem, quos ipsi vidimus, neminem fere praetermittimus [eorum, quos aliquando
182 dicentis vidimus]. Volo enim sciri in tanta et tam vetere re publica maximis praemiis eloquentiae propositis omnis cupisse dicere, non plurimos ausos esse, potuisse paucos. Ego tamen ita de uno quoque dicam, ut intellegi possit quem existimem clamatorem, quem oratorem fuisse. Isdem fere temporibus aetate inferiores paulo quam Iulius, sed aequales propemodum fuerunt C. Cotta, P. Sulpicius, Q. Varius, Cn. Pomponius, C. Curio, L. Fufius, M. Drusus, P. Antistius, nec ulla aetate uberior
183 oratorum fetus fuit. Ex his Cotta et Sulpicius cum meo iudicio tum omnium facile primas tulerunt.'

Hic Atticus, 'Quo modo istuc dicis,' inquit, "cum tuo iudicio tum omnium"? Semperne in oratore probando aut improbando volgi iudicium cum intellegentium iudicio congruit, an alii probantur a multitudine, alii autem ab eis, qui intellegunt?' 'Recte requiris,' inquam, 'Attice; sed audies ex me fortasse quod non omnes probent.'
184 'An tu,' inquit, 'id laboras, si huic modo Bruto proba-

49. 181. **aut,** *or even.*

hoc: sc. facio or fit.

quid . . . aetatis, etc.: see textual notes.

182. **praemiis**: *de Or.* I. 5. 16; I. 4. 15.

clamatorem: *de Or.* II. 20. 86; III. 21. 81.

Iulius: 177. After the bunch of names is a digression to Cap. 55.

fetus, *growth.*

183. **intellegentium,** *connoisseurs;* 199; cf. **doctis** below, and in 188; 198; 320; where the two words are joined. The subsequent **eis qui intellegunt** is an equivalent.

184. **laboras,** *feel troubled;* in

turus es?' 'Plane,' inquam, 'Attice, disp hanc de oratore probando aut improbando multo tibi et Bruto placere, eloquentiam autem meam po probari velim. Etenim necesse est, qui ita dicat ut multitudine probetur, eundem doctis probari. Nam quid in dicendo rectum sit aut pravum, ego iudicabo, si modo is sum qui id possim aut sciam iudicare; qualis vero sit orator, ex eo quod is dicendo efficiet, poterit intellegi.
Tria sunt enim, ut quidem ego sentio, quae sint effi- 185
cienda dicendo: ut doceatur is apud quem dicetur, ut delectetur, ut moveatur vehementius. Quibus virtutibus oratoris horum quidque efficiatur aut quibus vitiis orator aut non adsequatur haec aut etiam in his labatur et cadat, artifex aliquis iudicabit; efficiatur autem ab oratore necne, ut ei qui audiunt ita adficiantur ut orator velit, volgi adsensu et populari approbatione iudicari solet. Itaque numquam de bono oratore aut non bono
doctis hominibus cum populo dissensio fuit. An censes, **50** 186
dum illi viguerunt quos ante dixi, non eosdem gradus oratorum volgi iudicio et doctorum fuisse? De populo

Cicero's time this verb did not take a direct object; but a close approach is seen in such passages as this of our text, and *ad Fam.* XVI. 4. 3, *nihil laboro nisi ut salvus sis.*

probari: here with the favorite construction with dat. (= made to seem good to); but **probetur** just before has abl. of agent.

pravum: see note on *depravatae*, 130; and cf. **rectum** = *straight.*

ex eo: the sole and merciless test.

185. **tria**: 197; 276; *de Or.* II. 27. 115, *ita omnis ratio dicendi tribus ad persuadendum rebus est nixa; ut probemus vera esse quae defendimus; ut conciliemus eos nobis qui audiunt; ut animos eorum ad quemcumque causa postulabit motum vocemus;* II. 28. 121; II. 29. 128; II. 77. 310; *Or.* 21. 69, *ita dicet, ut probet, ut delectet, ut flectat; Opt. Gen. Or.* 1. 3; Quint. III. 5. 2.

labatur: Quint. X. 1. 24.

artifex: *de Or.* I. 24. 111, *ut quidam magister atque artifex;* I. 6. 23; I. 32. 145; *Or.* 51. 172.

velit: subjunc. in a clause forming an essential part of the expression of purpose; it is otherwise with **audiunt**.

dissensio, with cum: cf. 188; *de Off.* III. 13. 56; *Tusc.* V. 8. 22.

50. 186. **de populo**: 78. n.; cf. 194, *ex populo.*

si quem ita rogavisses: quis est in hac civitate eloquentissimus? in Antonio et Crasso aut dubitaret aut hunc alius, illum alius diceret. Nemone Philippum, tam suavem oratorem, tam gravem, tam facetum, his anteferret, quem nosmet ipsi, qui haec arte aliqua volumus expendere, proximum illis fuisse diximus? Nemo profecto. Id enim ipsum est summi oratoris, summum ora-
187 torem populo videri. Qua re tibicen Antigenidas dixerit discipulo sane frigenti ad populum, "Mihi cane et Musis;" ego huic Bruto dicenti, ut solet, apud multitudinem, "Mihi cane et populo, mi Brute," dixerim, ut qui audient, quid efficiatur, ego etiam, cur id efficiatur, intellegam. Credit eis quae dicuntur, qui audit oratorem; vera putat, adsentitur, probat; fidem facit oratio: tu
188 artifex quid quaeris amplius? Delectatur audiens multitudo et ducitur oratione et quasi voluptate quadam perfunditur: quid habes quod disputes? Gaudet dolet, ridet plorat, favet odit, contemnit invidet, ad misericordiam inducitur, ad pudendum, ad pigendum, irascitur mitigatur, sperat timet; haec perinde accidunt ut eorum qui adsunt mentes verbis et sententiis et actione tractantur: quid est quod exspectetur docti alicuius sententia? Quod enim probat multitudo, hoc idem doctis

in (Antonio), *in the case of; Sall. Cat.* 51, *in hominibus impiis.*

arte, *rules of art; de Or.* II. 11. 44, *non omnia, quaecumque loquimur, mihi videntur ad artem et ad praecepta esse revocanda.*

expendere: *de Or.* II. 76. 309; *Or.* 15. 48.

diximus, 173.

187. **frigenti**, *coldly received; Phil.* VI. 5. 14, *friget patronus Antonius; ad Att.* I. 14. 1, *prima contio Pompeii . . . frigebat;* Ter. *Eun.* 517; Hor. *Sat.* II. 1. 62.

dixerim: referring to the future; **dixerit**, above, to the past; H. 481.

188. **favet**: for like summaries bristling with points, cf. *Or.* 38. 131; *de Or.* II. 44. 185.

perinde . . . ut, *just as; de Or.* III. 56. 213; *de Off.* III. 33. 121; Liv. VII. 5.

tractantur, *are swayed;* Quint. XI. 1. 85.

sententia, *opinion;* cf. 86.

probandum est. Denique hoc specimen est popularis iudicii, in quo numquam fuit populo cum doctis intellegentibusque dissensio. Cum multi essent oratores in 189 vario genere dicendi, quis umquam ex his excellere iudicatus est volgi iudicio, qui non idem a doctis probaretur? Quando autem dubium fuisset apud patres nostros, eligendi cui patroni daretur optio, quin aut Antonium optaret aut Crassum? Aderant multi alii: tamen utrum de his potius, dubitasset aliquis; quin alterum, nemo. Quid, adulescentibus nobis cum esset Cotta et Hortensius, num quis, cui quidem eligendi potestas esset, quemquam his anteponebat?'

Tum Brutus, 'Quid tu,' inquit, 'quaeris alios? de te 51 190
ipso nonne quid optarent rei, quid ipse Hortensius iudicaret, videbamus? qui cum partiretur tecum causas,— saepe enim interfui — perorandi locum, ubi plurimum pollet oratio, semper tibi relinquebat.' 'Faciebat ille quidem,' inquam, 'et mihi benevolentia, credo, ductus tribuebat omnia. Sed ego quae de me populi sit opinio nescio; de reliquis hoc adfirmo, qui volgi opinione disertissimi habiti sint, eosdem intellegentium quoque iudicio fuisse probatissimos. Nec enim posset idem Demos- 191
thenes dicere, quod dixisse Antimachum clarum poetam

specimen, *example; Tusc.* I. 14. 32; V. 19. 55.

189. **optio**: *ad Att.* IV. 19. 2; cf. **eligendi potestas** below. For etymology, cf. **optaret**.

alterum, *one of the two.*

51. 190. **Hortensius**: 230; 301.

perorandi: the word has several meanings: (1) speaking throughout, as in *pro Clu.* 70. 199, *totam hanc causam . . . solus peroravi;* (2) finishing an oration, as in the common technical enumeration of the five parts (25. n.); (3) as here, making the concluding speech when two or more orators maintain the same cause. This, as the winding up of the combined effort, demands the style and receives the name of the peroration proper. Cf. *Or.* 37. 130.

ubi plurimum: cf. *de Or.* II. 81. 332; Quint. VI. 1. 51–2, *at hic, si usquam, totos eloquentiae aperire fontes licet; nam et, si bene diximus reliqua, possidebimus iam iudicum animos, et e confragosis atque asperis evecti tota pandere possumus vela;* VI. 2. 24.

ferunt, qui cum convocatis auditoribus legeret eis magnum illud quod novistis volumen suum et eum legentem omnes praeter Platonem reliquissent, "Legam," inquit, "nihilo minus; Plato enim mihi unus instar est centum milium." Et recte: poema enim reconditum paucorum approbationem, oratio popularis adsensum volgi debet movere. At si eundem hunc Platonem unum auditorem haberet Demosthenes, cum esset relictus a ceteris, ver-
192 bum facere non posset. Quid tu, Brute, posses, si te ut Curionem quondam contio reliquisset?' 'Ego vero,' inquit ille, 'ut me tibi indicem, in eis etiam causis, in quibus omnis res nobis cum iudicibus est, non cum populo, tamen, si a corona relictus sim, non queam dicere.' 'Ita se,' inquam, 'res habet: ut, si tibiae inflatae non referant sonum, abiciendas eas sibi tibicen putet, sic oratori populi aures tamquam tibiae sunt; eae si inflatum non recipiunt aut si auditor omnino tamquam
52 193 equus non facit, agitandi finis faciendus est. Hoc tamen interest, quod volgus interdum non probandum oratorem probat, sed probat sine comparatione. Cum a mediocri aut etiam a malo delectatur, eo est contentus; esse melius non sentit; illud quod est, qualecumque est,

191. **volumen**: his long epic, the *Thebais*. The story is told also of Antagoras, and is discredited of both.

instar: = *worth*; *in Pis.* 22. 52, *unus ille dies mihi quidem immortalitatis instar fuit.*

movere, *win*; cf. *commovit*, 198.

192. **Curionem**: 210.

indicem: *pro Arch.* 11. 28, *iam me vobis, iudices, indicabo, et de meo quodam amore gloriae . . . confitebor*; *in Cat.* III. 12. 27.

corona, *the encircling crowd* of listeners; 290; *pro Mil.* 1. 1; *et saepe.*

tibiae: *de Or.* II. 83. 338, *habet enim multitudo vim quandam talem, ut quem ad modum tibicen sine tibiis canere, sic orator sine multitudine audiente eloquens esse non possit.*

facit, *responds* (to the master's will); cf. *de Or.* II. 44. 187.

agitandi, *of urging*; Verg. *Æn.* XI. 770, *spumantemque agitabat equum.*

52. 193. **mediocri**: cf. 235; *de Or.* I. 25. 117.

probat. Tenet enim auris vel mediocris orator, sit modo aliquid in eo; nec res ulla plus apud animos hominum quam ordo et ornatus orationis valet.

Qua re quis ex populo, cum Q. Scaevolam pro M. 194
Coponio dicentem audiret in ea causa, de qua ante dixi, quicquam politius aut elegantius aut omnino melius aut exspectaret aut posse fieri putaret? Cum is hoc probare 195
vellet, M'. Curium, cum ita heres institutus esset, si pupillus ante mortuus esset quam in suam tutelam venisset, pupillo non nato heredem esse non posse, quid ille non dixit de testamentorum iure? de antiquis formulis? quem ad modum scribi oportuisset, si etiam filio non nato heres institueretur? quam captiosum esset populo, quod 196
scriptum esset neglegi et opinione quaeri voluntates et interpretatione disertorum scripta simplicium hominum pervertere? Quam ille multa de auctoritate patris sui, 197
qui semper ius illud esse defenderat? quam omnino multa de conservando iure civili? Quae quidem omnia cum perite et scienter, tum ita breviter et presse et satis ornate et pereleganter diceret, quis esset in populo, qui

ordo et ornatus: the second and third parts of oratory.

194. **dixi**: 144.

195. **ita . . . si**: *i.e.* under the condition that; cf. Quint. X. 7. 12. *Ita* restrictive is oftener followed by *ut;* sometimes by *cum*, *e.g.* 222. In *Top.* 10. 44, the same law case is spoken of, and the condition phrased with *sic . . . ut* (B. & K.).

in suam tutelam venisset: 197; *de Or.* I. 39. 180. When there was no *patria potestas*, the boy became master of himself at the age of fourteen.

formulis: 275; *pro Rosc. Com.* 8. 24; *de Or.* I. 39. 180.

196. **captiosum**, *ensnaring*, *trickish;* cf. *captio* below.

populo: *i.e.* the uninitiated, unsuspecting public.

opinione, *by conjecture.*

voluntates, *intentions* (of testators).

pervertere: a like change from pass. to act. infin. is found in *de Or.* II. 41. 177; cf. *de Fin.* II. 7. 21. In *de Or.* I. 8. 31, *converti* is less noticeably put beside act. infinitives; cf. Verg. *Aen.* III. 60–1.

197. **patris**: 98.

illud: the foregoing proposition, stated in 195.

tum: not a correlative of **cum**.

ita breviter, *so briefly* (as you know); cf. the negative, 41. n.

presse: not excluding ornament, as in 201; cf. 202.

aut exspectaret aut fieri posse quicquam melius putaret? 58 At vero, ut contra Crassus ab adulescente delicato, qui in litore ambulans scalmum repperisset ob eamque rem aedificare navem concupivisset, exorsus est, similiter Scaevolam ex uno scalmo captionis centumvirale iudicium hereditatis effecisse, hoc illo initio consecutus multis eiusdem generis sententiis delectavit animosque omnium qui aderant in hilaritatem a severitate traduxit; quod est unum ex tribus quae dixi ab oratore effici debere. Deinde hoc voluisse eum, qui testamentum fecisset, hoc sensisse, quoquo modo filius non esset, qui in suam tutelam veniret, sive non natus sive ante mortuus, Curius heres ut esset; ita scribere plerosque et id valere et valuisse semper; haec et multa eius modi dicens fidem faciebat; quod est ex tribus oratoris officiis
198 alterum. Deinde aequum bonum, testamentorum sententias voluntatesque tutatus est, quanta esset in verbis captio cum in ceteris rebus tum in testamentis, si neglegerentur voluntates; quantam sibi potentiam Scaevola adsumeret, si nemo auderet testamentum facere postea nisi de illius sententia,—haec cum graviter tum ab exemplis copiose, tum varie, tum etiam ridicule et facete

58. delicato, *luxurious; Nat. D.* I. 36. 102.

exorsus est, *took his exordium.*

captionis: gen. of definition, referring to Scaevola's argument, *quam captiosum,* etc., above.

centumvirale: *i.e.* a decision as formal and imposing as that of the court of the *centumviri;* see 144. n.

effecisse, *made out.*

delectavit: obj. left to be supplied from the words next following.

traduxit: 322; cf. *de Or.* II. 54, 221, *haec perpetua contra Scaevolam Curiana defensio tota redundavit hilaritate et ioco;* I. 57. 243.

hoc voluisse: = 'this was his wish'; **hoc sensisse,** 'this was his purpose.' Cf. Hor. *Sat.* II. 3. 90. The two verbs are represented by substantives in the first sentence of 198.

fidem faciebat: corresponding to *ut doceatur,* 185.

198. **aequum bonum**: asyndeton; cf. 143.

captio, *deceptiveness.*

potentiam: in *de Or.* II. 6. 24, Crassus gives this point directly; *nam si, inquam, Scaevola, nullum erit testamentum recte factum, nisi quod tu scripseris, omnes*

explicans, eam admirationem adsensionemque commovit, dixisse ut contra nemo videretur. Hoc erat oratoris officium partitione tertium, genere maximum. Hic ille de populo iudex, qui separatim alterum admiratus esset, idem audito altero iudicium suum contemneret; at vero intellegens et doctus audiens Scaevolam sentiret esse quoddam uberius dicendi genus et ornatius: ab utroque autem causa perorata, si quaereretur uter praestaret orator, numquam profecto sapientis iudicium a iudicio volgi discreparet.

Qui praestat igitur intellegens imperito? Magna re 54 199
et difficili; si quidem magnum est scire quibus rebus efficiatur amittaturve dicendo illud quicquid est, quod aut effici dicendo oportet aut amitti non oportet. Praestat etiam illo doctus auditor indocto, quod saepe, cum oratores duo aut plures populi iudicio probantur, quod dicendi genus optimum sit intellegit; nam illud, quod populo non probatur, ne intellegenti quidem auditori probari potest. Ut enim ex nervorum sono in fidibus quam scienter ei pulsi sint intellegi solet, sic ex animorum motu cernitur quid tractandis his perficiat
orator. Itaque intellegens dicendi existimator, non 200
adsidens et attente audiens, sed uno aspectu et praeteriens de oratore saepe iudicat. Videt oscitantem

ad te cives cum tabulis veniemus, omnium testamenta tu scribes unus.

iudicium suum: formed after hearing the first.

audiens: serves as a condition for **sentiret**.

discreparet: followed by **ab**, less frequently by *cum*. Cicero also has *sibi discrepare*.

54. 199. **praestat**: *i.e.* as a judge of oratory.

si quidem, *since;* 39. The 'if indeed' of a proposition not assumed to be true easily passes to an assumption of its truth.

illo: neuter.

nam: (I say nothing of those who were not liked by the people), *for*, etc.

animorum: *i.e.* of the audience at large.

cernitur: by the *critic*, whose name is cognate with this word.

200. **aspectu**: *look.*

videt: an independent condition; cf. **si aspexerit** below.

iudicem, loquentem cum altero, non numquam etiam circulantem, mittentem ad horas, quaesitorem ut dimittat rogantem: intellegit oratorem in ea causa non adesse qui possit animis iudicum admovere orationem tamquam fidibus manum. Idem si praeteriens aspexerit erectos intuentis iudices, ut aut doceri de re idque etiam voltu probare videantur, aut ut avem cantu aliquo, sic illos viderit oratione quasi suspensos teneri aut, id quod maxime opus est, misericordia, odio, motu animi aliquo perturbatos esse vehementius, — ea si praeteriens, ut dixi, aspexerit, si nihil audiverit, tamen oratorem versari in illo iudicio et opus oratorium fieri aut perfectum iam esse profecto intelleget.'

55 **201** Cum haec disseruissem, uterque adsensus est; et ego tamquam de integro ordiens, 'Quando igitur,' inquam, 'a Cotta et Sulpicio haec omnis fluxit oratio, cum hos maxime iudicio illorum hominum et illius aetatis dixissem probatos, revertar ad eos ipsos; tum reliquos, ut institui, deinceps persequar. Quoniam ergo oratorum bonorum — hos enim quaerimus — duo genera sunt, unum attenuate presseque, alterum sublate ampleque dicentium, etsi id melius est quod splendidius et mag-

circulantem: = 'one of a talking group'; Caes. *B. C.* I. 64, *totis vero castris milites circulari.*

ad horas: *i.e.* to ascertain the time of day; cf. Juv. X. 216, *ut sentiat . . . quot nuntiet horas;* Mart. 8. 67.

quaesitorem, *presiding judge.*

dimittat, *dismiss court;* cf. *de Or.* I. 26. 121.

erectos: 290; Quint. XI. 3. 72.

intuentis, *regarding intently.*

avem: lured by decoy notes.

suspensos: *ad Att.* X. 1. 2.

perturbatos: cf. *de Or.* II. 42. 178.

oratorem, *par excellence;* 267: so with the succeeding adj.; cf. 201.

55. 201. de integro: cf. 183.

quando: for this causal sense, cf. *Tusc.* IV. 15. 34; *de Fin.* V. 23. 67; *Acad.* II. 26. 85.

Cotta et Sulpicio: made interlocutors in *de Oratore*, along with their masters, Antonius and Crassus; see *e.g.* II. 3. 12.

reliquos: 182.

attenuate, *simply; ad Heren.* IV. 8. 11, *attenuata* [*oratio*] *est, quae demissa est usque ad usitatissimam puri consuetudinem sermonis; Or.* 30. 108.

nificentius, tamen in bonis omnia quae summa sunt iure laudantur. Sed cavenda est presso illi oratori 202
inopia et ieiunitas, amplo autem inflatum et corruptum orationis genus. Inveniebat igitur acute Cotta, dicebat pure ac solute; et ut ad infirmitatem laterum perscienter contentionem omnem remiserat, sic ad virium imbecillitatem dicendi adcommodabat genus. Nihil erat in eius oratione nisi sincerum, nihil nisi siccum atque sanum; illudque maximum, quod cum contentione orationis flectere animos iudicum vix posset nec omnino eo genere diceret, tractando tamen impellebat, ut idem facerent a se commoti quod a Sulpicio concitati. Fuit 203
enim Sulpicius vel maxime omnium, quos quidem ego audiverim, grandis et, ut ita dicam, tragicus orator: vox cum magna tum suavis et splendida; gestus et motus corporis ita venustus, ut tamen ad forum, non ad scaenam institutus videretur; incitata et volubilis nec ea redundans tamen nec circumfluens oratio. Crassum hic volebat imitari; Cotta malebat Antonium: sed ab

summa: *i.e.* highest of their kind.

202. **presso**: Quint. XII. 10. 16, *cum hi pressi et integri, contra inflati illi et inanes haberentur.* Cf. Tac. *Dial.* 18.

infirmitatem: 313; cf. Quint. XII. 11. 2.

contentionem, *strenuous effort;* 233; 276; 304; *Tusc.* II. 24. 56–7.

sincerum, *sound;* 287; 291; *ad Att.* X. 6. 2, *nihil simplex, nihil sincerum;* Quint. X. 1. 65.

siccum, *solid; Opt. Gen. Or.* 3. 8; Quint. II. 4. 6; cf. *de Sen.* 10. 34, *summam esse in eo corporis siccitatem.*

sanum, *sensible.* Notice the alliteration of these three adj.

concitati, (more) *strongly moved.*

203. **splendida**: 239; 250; denoting more than simple clearness. A certain 'brilliance' of tone may belong to an orator as well as to a prima donna or a piano forte.

venustus: cf. *de Or.* I. 59. 251; III. 52. 200; *Or.* 68. 228.

incitata: 35; cf. *de Or.* II. 21. 88, *oratione autem celeri et concitata, quod erat ingenii, et verbis effervescentibus et paulo nimium redundantibus, quod erat aetatis* (of Sulpicius when young).

circumfluens: cf. 316.

imitari: *de Or.* II. 21. 89 (Antonius says) *eum sum cohortatus ut . . . magistrum, quem vellet, eligeret; me quidem si audiret, L. Crassum; quod iste adripuit et ita sese facturum confirmavit.*

204 hoc vis aberat Antonii, Crassi ab illo lepos.' 'O magnam,' inquit, 'artem!' Brutus; 'si quidem istis, cum summi essent oratores, duae res maximae, altera alteri defuit.'

56 'Atque,' *inquam*, 'in his oratoribus illud animadvertendum est, posse esse summos, qui inter se sint dissimiles; nihil enim tam dissimile quam Cotta Sulpicio, et uterque aequalibus suis plurimum praestitit. Qua re hoc doctoris intellegentis est, videre quo ferat natura sua quemque, et ea duce utentem sic instituere ut Isocratem in acerrimo ingenio Theopompi et lenissimo Ephori dixisse traditum est, alteri se calcaria adhibere,
205 alteri frenos. Sulpicii orationes quae feruntur, eas post mortem eius scripsisse P. Canutius putatur, aequalis meus, homo extra nostrum ordinem meo iudicio disertissimus. Ipsius Sulpicii nulla oratio est; saepeque ex eo audivi, cum se scribere neque consuesse neque posse diceret. Cottae pro se lege Varia quae inscribitur, eam L. Aelius scripsit Cottae rogatu. Fuit is omnino vir egregius et eques Romanus cum primis honestus idemque eruditissimus et Graecis litteris et Latinis, antiquitatisque nostrae et in inventis rebus et

204. **cum**, *although*.

defuit: the special sing. predicate (here retained) is oftener omitted than the general predicate; R. 1440; M. 217 (1); cf. *de Off.* I. 41. 147.

56. dissimile: cf. *de Or.* III. 8. 31; *Or.* 1. 2. The use of dat. of person with *similis* and *dissimilis* was rare in Cicero's time; cf. Lucr. IV. 1211 and Munro's note; R. 1317; A. & G. 234 *d* (R.).

ferat: cf. *de Or.* III. 9. 35.

frenos: cf. *de Or.* III. 9. 36; *ad Att.* VI. 1. 12; Quint. II. 8. 11; X. 1. 74. A like story is told of Plato, teacher of Aristotle and Xenocrates; and of Aristotle, teacher of Theophrastus and Callisthenes; Diog. Laert. 5. 39.

205. **lege**: when accused under that law; 304.

Aelius: who gained his name Stilo from his skill in composition. Cicero, as well as Varro, profited by his instructions.

honestus: like *honoratus;* 281; our *honest* is a secondary meaning. Cæsar also (*B. C.* I. 51) applies this term to the *equites*.

in actis scriptorumque veterum litterate peritus. Quam
scientiam Varro noster acceptam ab illo auctamque per
sese, vir ingenio praestans omnique doctrina, pluribus
et inlustrioribus litteris explicavit. Sed idem Aelius 206
Stoicus esse voluit, orator autem nec studuit umquam
nec fuit. Scribebat tamen orationes quas alii dicerent;
ut Q. Metello f., ut Q. Caepioni, ut Q. Pompeio Rufo,
quamquam is etiam ipse scripsit eas quibus pro se est
usus, sed non sine Aelio. His enim scriptis etiam ipse 207
interfui, cum essem apud Aelium adulescens eumque
audire perstudiose solerem. Cottam autem miror, sum-
mum ipsum oratorem minimeque ineptum, Aelianas levis
oratiunculas voluisse existimari suas. His duobus eius- 57
dem aetatis adnumerabatur nemo tertius, sed mihi place-
bat Pomponius maxime, vel dicam, minime displicebat.
Locus erat omnino in maximis causis praeter eos, de
quibus supra dixi, nemini; propterea quod Antonius, qui
maxime expetebatur, facilis in causis recipiendis erat;
fastidiosior Crassus, sed tamen recipiebat; horum qui
neutrum habebat, confugiebat ad Philippum fere aut ad

actis: sc. **rebus**. This is the more practical side of antiquity, active participation in politics, war, etc.; **inventis rebus**, the more intellectual side.

litterate peritus, *an accomplished critic.*

litteris, *writings;* Varro was a most voluminous author.

206. **Metello**: a name has dropped out before **f.** This is supposed to be Metellus Nepos, son of Balearicus.

Caepioni: 169.

207. **scriptis**: not *scribendis;* as the thought rests on them as writings.

audire: cf. *auditor*, 114; 179.

ineptum: 262; *de Or.* II. 4. 17, *quem enim nos ineptum vocamus, is mihi videtur ab hoc nomen habere ductum, quod non sit aptus; . . . nam qui aut tempus quid postulet non videt aut plura loquitur aut se ostentat aut eorum, quibuscum est, vel dignitatis vel commodi rationem non habet aut denique in aliquo genere aut inconcinnus aut multus est, is ineptus esse dicitur.*

oratiunculas: 77; *ad Att.* XIII. 19. 2; XV. 3. 2; Quint. IV. 3. 17. In the last of these passages Cicero's oration for Milo receives this name; the actual utterance, not the long speech that was written out.

57. placebat: but in *de Or.* III. 13. 50, Pomponius is censured for a lack of clearness; cf. **221.**

Caesarem; *rarius* Cotta et Sulpicius expetebantur. Ita ab his sex patronis causae inlustres agebantur; neque tam multa quam nostra aetate iudicia fiebant, neque hoc, quod nunc fit, ut causae singulae defenderentur a
208 pluribus; quo nihil est vitiosius. Respondemus eis quos non audivimus; in quo primum saepe aliter est dictum, aliter ad nos relatum; deinde magni interest coram videre me quem ad modum adversarius de quaque re adseveret, maximi autem quem ad modum quaeque res audiatur. Sed nihil vitiosius quam, cum unum corpus debeat esse defensionis, nasci de integro causam, cum
209 sit ab altero perorata. Omnium enim causarum unum est naturale principium, una peroratio; reliquae partes quasi membra suo quaeque loco locata suam et vim et dignitatem tenent. Cum autem difficile sit in longa oratione non aliquando aliquid ita dicere ut sibi ipse non conveniat, quanto difficilius cavere ne quid dicas, quod non conveniat eius orationi qui ante te dixerit? Sed quia et labor multo maior est totam causam quam partem dicere et quia plures ineuntur gratiae si uno tempore dicas pro pluribus, idcirco hanc consuetudinem libenter ascivimus.

Caesarem: 177; see textual notes.

neque hoc: cf. *pro Clu.* 70. 199, *qui totam hanc causam vetere instituto solus peroravi.*

vitiosius: cf. *de Or.* II. 77. 313, *quod mihi numquam placuit.*

208. **maximi:** the shrewdest advocates watch closely their juries and judges.

de integro: our modern fashion is to hear many advocates on each side of an important case, and to allow each one to roam over the whole ground; and for this, as well as for other reasons, trials grow insufferably tedious.

perorata: 190. n.

209. **naturale:** Quint. III. 8. 6, *neque enim abrupte nec unde libuit incipiendum, quia est aliquid in omni materia naturaliter primum;* VI. 1. 55, *et epilogi et perorationis nomina ipsa aperte satis ostendunt, hanc esse consummationem orationis.*

ipse: the speaker implied in **dicere** preceding. A personal subject for **conveniat** in this sense is rare, and is given up in the next clause.

plures: *i.e.* of many persons.

pro pluribus: not only for the

Erant tamen quibus videretur illius aetatis tertius 58 210
Curio, quia splendidioribus fortasse verbis utebatur et
quia Latine non pessime loquebatur, usu, credo, aliquo
domestico; nam litterarum admodum nihil sciebat. Sed
magni interest quos quisque audiat cotidie domi, quibus-
cum loquatur a puero, quem ad modum patres, paeda-
gogi, matres etiam loquantur. Legimus epistulas Cor- 211
neliae matris Gracchorum; apparet filios non tam in
gremio educatos quam in sermone matris. Auditus est
nobis Laeliae C. f. saepe sermo. Ergo illam patris ele-
gantia tinctam vidimus, et filias eius Mucias ambas, qua-
rum sermo mihi fuit notus, et neptes Licinias, quas nos
quidem ambas, hanc vero Scipionis etiam tu, Brute,
credo, aliquando audisti loquentem.' 'Ego vero ac li-
benter quidem,' inquit Brutus, 'et eo libentius, quod L.

client, but also for your fellow-advocates.

58. 210. **domestico**: 252.

patres: cf. Quint. I. 1. 6, *in parentibus vero quam plurimum esse eruditionis optaverim, nec de patribus tantum loquor.*

paedagogi: the etymology of this word is to be borne in mind. Quintilian says (I. 1. 8) that *paedagogi* should either be 'erudite' or know that they are not so. He goes still further back (I. 1. 4), *ante omnia ne sit vitiosus sermo nutricibus.*

211. **gremio**: Tac. *Dial.* 28, *nam pridem suus cuique filius, ex casta parente natus, non in cella emptae nutricis, sed gremio ac sinu matris educabatur;* cf. *Agr.* 4.

Laeliae: *de Or.* III. 12. 45, *equidem cum audio* [*i.e.* Crassus; see n. on *Licinias* below] *socrum meam Laeliam—facilius enim mulieres incorruptam antiquitatem conservant, quod multorum sermonis expertes ea tenent semper quae prima didicerunt—sed eam sic audio, ut Plautum mihi aut Naevium videar audire: sono ipso vocis ita recto et simplici est ut nihil ostentationis aut imitationis adferre videatur;* Quint. I. 1. 6.

tinctam: = 'colored with,' 'with something of the quality of'; cf. the Eng. *tinge; de Or.* II. 20. 85, *sit enim* [*orator*] *mihi tinctus litteris;* Sen. *Ep.* 66. 8, *quicquid adtigit in similitudinem sui tingit* [*virtus*].

Mucias: Lælia married Q. Mucius Scævola the augur.

Licinias: one of these Muciæ married L. Licinius Crassus, the orator.

Scipionis: sc. **uxorem**: cf. an inscription on the tomb of Metella, on the Appian Way, *Caeciliae Q. Cretici filiae Metellae Crassi;* Verg. *Aen.* III. 319, *Hectoris Andromache;* A. & G. 214 *b.* This Scipio was a Nasica, grandson of Serapio.

212 Crassi erat filia.' 'Quid Crassum,' inquam, 'illum censes, istius Liciniae filium, Crassi testamento qui fuit adoptatus?' 'Summo iste quidem dicitur ingenio fuisse,' inquit; 'et vero hic Scipio, conlega meus, mihi sane bene et loqui videtur et dicere.' 'Recte,' inquam, 'iudicas, Brute; etenim istius genus est ex ipsius sapientiae stirpe generatum. Nam et de duobus avis iam diximus, Scipione et Crasso; et de tribus proavis, Q. Metello, cuius quattuor filii, P. Scipione, qui ex dominatu Ti. Gracchi privatus in libertatem rem publicam vindicavit, Q. Scaevola augure, qui peritissimus iuris
213 idemque percomis est habitus. Iam duorum abavorum quam est inlustre nomen, P. Scipionis, qui bis consul fuit, qui est Corculum dictus, alterius omnium sapientissimi, C. Laelii!' 'O generosam,' inquit, 'stirpem et tamquam in unam arborem plura genera, sic in istam domum multorum insitam [atque inluminatam] sapien-
59 tiam! Similiter igitur suspicor, ut conferamus parva

212. quid . . . censes, *how do you rate?* **quid** adverb. acc., as in *quid refert? quid interest?* R. 1189. Cf. the pass. *censeri* with acc., *pro Flac.* 32. 80, *census es mancipia.*

Crassi: his maternal grandfather.

hic Scipio: adopted by Metellus Pius.

conlega: in the pontificate. As consul he was colleague of Pompeius Magnus, who became his son-in-law.

dicere: the word for formal speaking, as **loqui** for informal; cf. *Or.* 32. 113, *nec idem loqui esse quod dicere;* 32. 114, *ut hoc videlicet differant inter se, quod haec ratio dicendi latior sit, illa loquendi contractior;* Quint. X. 3. 2, *illa ex tempore dicendi facultas.*

sapientiae: with special allusion to C. Laelius Sapiens; cf. 213; *de Am.* 1. 5; 2. 6 and 7; *de Off.* III. 4. 16.

privatus: 107. n.

in libertatem . . . vindicavit: cf. *ad Fam.* II. 5. 2; Caes. *B. C.* I. 22; II. 21.

filii: the story (cf. 81) is so well known that Cicero leaves his hearers to complete the clause.

213. generosam: Juv. VII. 191, *nobilis et generosus.*

tamquam: for its correlation with **sic**, cf. *Tusc.* V. 5. 13; *ad Q. Fr.* I. 1. 1, 4; I. 1. 16, 46.

inluminatam, *made illustrious.* Peter makes *inluminata sapientia = lumen sapientiae,* and compares *lumen ingenii,* 59; *lumen eloquentiae,* 66.

59. igitur: going back to 210.

magnis, Curionis, etsi pupillus relictus est, patrio fuisse
instituto puro sermone adsuefactam domum. Et eo magis
hoc iudico, quod neminem, ex eis quidem qui aliquo in
numero fuerunt, cognovi in omni genere honestarum
artium tam indoctum, tam rudem; nullum ille poetam 214
noverat, nullum legerat oratorem, nullam memoriam an-
tiquitatis conlegerat, non publicum ius, non privatum
et civile cognoverat. Quamquam hoc quidem fuit etiam
in aliis et magnis quidem oratoribus, quos parum his
instructos artibus vidimus, ut Sulpicium, ut Antonium.
Sed ei tamen unum illud habebant, dicendi opus elabo-
ratum; idque cum constaret ex quinque notissimis par-
tibus, nemo in aliqua parte earum omnino nihil poterat;
in quacumque enim una plane clauderet, orator esse non
posset. Sed tamen alius in alia excellebat magis. Repe- 215
riebat quid dici opus esset et quo modo praeparari et
quo loco locari, memoriaque ea comprehendebat Anto-
nius; excellebat autem actione; erantque ei quaedam
ex his paria cum Crasso, quaedam etiam superiora: at

instituto, *ordering*.

honestarum: 205. n.; here = *liberalium*.

214. **memoriam**, *traditional account;* cf. *de Or.* I. 2. 4, *memoriae . . . recordatio*, and Wilk. n.; I. 46. 201, *antiquitatis memoria;* I. 60. 256, where, however, the reading is uncertain.

publicum: 222; 267; Dig. I. 1. 1, 2, *publicum ius est, quod ad statum rei Romanae spectat; privatum, quod ad singulorum utilitatem*.

civile: 322; Gaius, *Inst.* I. 1, *quod quisque populus ipse sibi ius constituit, id ipsius proprium est vocaturque ius civile*.

hoc . . . fuit . . . in: = 'this was true of.'

elaboratum: cf. *oratorium*, 200.

omnino nihil poterat: *i.e.* could be altogether deficient; cf. *admodum nihil*, 210.

in quacumque . . . una: = 'if in any single one'; cf. 215, end.

clauderet: *Or.* 51. 170; *Tusc.* V. 8. 22; *claudicare* is more common, *e.g.* 227. The relative clause is here conditional. Madv. 350. *a.*

215. **praeparari**, *to be worked up;* with reference both to *dispositio* and to *elocutio*, but more to the former, which is further emphasized by **locari**.

paria cum Crasso: *on a par with* (the same qualities in) *Crassus*.

superiora: cf. 141–2.

Crassi magis enitebat oratio. Nec vero Sulpicio neque Cottae dicere possumus neque cuiquam bono oratori rem ullam ex illis quinque partibus plane atque omnino defuisse.

216 Itaque in Curione hoc verissime iudicari potest, nulla re una magis oratorem commendari quam verborum splendore et copia. Nam cum tardus in cogitando tum
60 in struendo dissipatus fuit. Reliqua duo sunt, agere et meminisse; in utroque cachinnos inridentium commovebat. Motus erat is, quem et C. Iulius in perpetuum notavit, cum ex eo in utramque partem toto corpore vacillante quaesivit quis loqueretur e lintre; et Cn. Sicinius homo impurus, sed admodum ridiculus, neque
217 aliud in eo oratoris simile quicquam. Is cum tribunus plebis Curionem et Octavium consules produxisset Curioque multa dixisset sedente Cn. Octavio conlega, qui devinctus erat fasciis et multis medicamentis propter dolorem artuum delibutus, "Numquam," inquit, "Octavi, conlegae tuo gratiam referes, qui nisi se suo more iactavisset, hodie te istic muscae comedissent." Memoria autem ita fuit nulla, ut aliquotiens, tria cum proposuisset, aut quartum adderet aut ter-

oratio: = *elocutio*; cf. 227; 239.

216. **tardus**: 235; 239.

struendo: cf. *de Or.* III. 43. 171, *conlocationis est componere et struere verba*; III. 31. 125; *structum*, 274; *structura*, 33.

dissipatus, *disconnected;* oftener of the discourse than of the speaker; *e.g. Or.* 65. 220; *de Or.* I. 42. 187.

60. notavit: 224; these two anecdotes are repeated by Quintilian (XI. 3. 129) in illustrating what is censured by him as *illa frequens et concitata in utramque partem nutatio.*

aliud: aside from the coarse wit indicated in **impurus** and **ridiculus**.

217. **produxisset**: *pro Sest.* 14. 33, *producti in circo Flaminio in contionem; ad Att.* I. 14. 1. Of the magistrates who could hold a *contio*, consuls and tribunes of the plebs oftenest did so.

devinctus: Quintilian (XI. 3. 129) has *deligatus et plurimis medicamentis delibutus.*

dolorem artuum: *de Fin.* II. 28. 93, *quos ille, di immortales! cum omnes artus ardere viderentur, cruciatus perferebat!*

tium quaereret; qui in iudicio privato vel maximo, cum ego pro Titinia Cottae peroravissem, ille contra me pro Ser. Naevio diceret, subito totam causam oblitus est idque veneficiis et cantionibus Titiniae factum esse dicebat. Magna haec immemoris ingenii signa; sed nihil 218
turpius quam quod etiam in scriptis obliviscebatur quid paulo ante posuisset, ut in eo libro, ubi se exeuntem e senatu et cum Pansa nostro et cum Curione filio conloquentem facit, [cum senatum Caesar consul habuisset,] omnisque ille sermo ductus est e percontatione filii quid in senatu esset actum; in quo multis verbis cum inveheretur in Caesarem Curio, disputatioque esset inter eos, ut est consuetudo dialogorum, cum sermo esset institutus senatu misso, quem senatum Caesar consul habuisset, reprehendit eas res quas idem Caesar anno post et deinceps reliquis annis administravit in Gallia.'
Tum Brutus admirans, 'Tantamne fuisse oblivionem,' 61 219
inquit, 'in scripto praesertim, ut ne legens quidem umquam senserit quantum flagitii commisisset?' 'Quid autem,' inquam, 'Brute, stultius quam, si ea vituperare

privato: cf. 214.

Cottae: dat.; Cicero concluded the plea begun by Cotta; so Peter. Ell. *et al.* make **Cottae** a gen., sc. *uxore; al., filia.*

Naevio: It would seem that Nævius opened on the other side, and was pitted against Cotta, as Curio against Cicero.

oblitus est: takes acc. as a single act. Cf. *Or.* 37. 129.

cantionibus: Cato, *R. R.* 160; both the words here employed imply sorcery.

218. **immemoris**: cf. *de Or.* III. 50. 194, *tantumque hominis ingeniosi ac memoris valuit exercitatio.*

nostro: cf. *ad Fam.* VI. 12. 2; Suet. *de Clar. Rhet.* 1.

facit, *represents;* cf. *Nat. D.* I. 12. 31; *Tusc.* I. 10. 21; *de Sen.* 1. 3.

inveheretur: cf. the Eng. *inveigh* and *invective.*

misso: *ad Q. Fr.* II. 1. 1; Cæs. *B. C.* I. 3. Cf. *dimittere*, 200.

senatum: = (as often) 'a meeting of the senate.'

61. 219. **admirans**: less frequent in this sense than the simple verb; *Nat. D.* I. 10. 24, *admirabor eorum tarditatem.*

tantamne: cf. *Tusc.* I. 41. 98; *ad Att.* IX. 13. 8; Verg. *Aen.* I. 37.

flagitii: cf. *nihil turpius*, 218.

vituperare: oftener with a personal object.

volebat quae vituperavit, non eo tempore instituere sermonem, cum illarum rerum iam tempora praeterissent? Sed ita totus errat ut in eodem sermone dicat in senatum se Caesare consule non accedere, et id dicat ipso consule exiens e senatu. Iam qui hac parte animi, quae custos est ceterarum ingenii partium, tam debilis esset ut ne in scripto quidem meminisset quid paulo ante posuisset, huic minime mirum est ex tempore di-
220 centi solitam effluere mentem. Itaque cum ei nec officium deesset et flagraret studio dicendi, perpaucae ad eum causae deferebantur; orator autem a suis aequalibus proximus optimis numerabatur propter verborum bonitatem, ut ante dixi, et expeditam ac profluentem quodam modo celeritatem. Itaque eius orationes aspiciendas tamen censeo. Sunt illae quidem languidiores, verum tamen possunt augere et quasi alere id bonum, quod in illo mediocriter fuisse concedimus; quod habet tantam vim ut solum sine aliis in Curione speciem oratoris alicuius effecerit. Sed ad instituta redeamus.

62 221 In eodem igitur numero eiusdem aetatis C. Carbo fuit,

custos: *de Or.* I. 5. 18, *quid dicam de thesauro rerum omnium, memoria? quae nisi custos inventis cogitatisque rebus et verbis adhibeatur*, etc.; *ad Heren.* III. 16. 28.

effluere: cf. *ad Fam.* VII. 14. 1; *mens* here = mental power or grip; cf. *mens animi*, Lucr. III. 615; IV. 758; etc.; *Catul.* 65. 4.

220. **officium**: abstract for concrete; = *a following* of friends and dependents, for whom he would naturally act as advocate; cf. Juv. X. 45, *praecedentia longi agminis officia*, and Mayor's note; Suet. *Nero* 28, *celeberrimo officio deductum;* so Ell., Jahn, *et al.;* the only drawback to this interpretation being its merely post-Augustan support. Another interpretation, 'readiness to serve,' has been suggested.

a suis aequalibus: see textual notes.

numerabatur: 221; like Eng. *count* and *account; ad Fam.* I. 9. 18, *qualem me et esse et numerari volo; Tusc.* V. 15. 44.

bonitatem: cf. *Or.* 49. 164; 18. 59.

dixi: 210.

tamen: *i.e.* in spite of their defects.

alere: 126.

alicuius: cf. *ad Att.* III. 15. 8; IV. 2. 2; Juv. I. 74.

62. 221. Carbo, called *Arvina.* A few sentences from a speech of his are given in *Or.* 63. 213.

illius eloquentissimi viri filius; non satis acutus orator, sed tamen orator numeratus est. Erat in verbis gravitas et facile dicebat et auctoritatem naturalem quandam habebat oratio. Acutior Q. Varius rebus inveniendis nec minus verbis expeditus. Fortis vero actor et vehemens et verbis nec inops nec abiectus, et quem plane oratorem dicere auderes, Cn. Pomponius, lateribus pugnans, incitans animos, acer, acerbus, criminosus. Multum ab 222
his aberat L. Fufius, tamen ex accusatione M'. Aquilii diligentiae fructum ceperat. Nam M. Drusum tuum magnum avunculum, gravem oratorem, ita dumtaxat cum de re publica diceret; L. autem Lucullum etiam acutum, patremque tuum, Brute, iuris quoque et publici et privati sane peritum; M. Lucullum, M. Octavium Cn. f., qui tantum auctoritate dicendoque valuit, ut legem Semproniam frumentariam populi frequentis suffragiis abrogaverit; Cn. Octavium M. f., M. Catonem patrem, Q. etiam Catulum filium abducamus ex acie, id est a iudiciis, et in praesidiis rei publicae, cui facile satis facere possint, conlocemus. Eodem Q. Caepionem re- 223

viri: 103 sq.

auctoritatem: 97; a favorite word with Quintilian also.

plane: 40.

lateribus: cf. *de Or.* I. 60. 255, *lateribus aut clamore contenderent.*

criminosus: 131; *pro Clu.* 34. 94.

222. **aberat**: as inferior; Hor. *A. P.* 370, *abest virtute diserti Messalae.*

Fufius: cf. *de Off.* II. 14. 50.

nam: (certain names are still less to be dwelt on), for we may withdraw from the 'ranks of battle' (**ex acie**) Drusus, etc.

avunculum: Livia, sister of Drusus, married Q. Servilius Cæpio (223), and her daughter Servilia was the mother of Brutus.

ita . . . cum: 195. n.

L. Lucullum: the conqueror of Mithridates.

M. Lucullum: brother of the preceding.

Semproniam: of C. Gracchus.

patrem: of Cato Uticensis; *de Off.* III. 16. 66, *ut enim ceteri ex patribus, sic hic, qui illud lumen progenuit, ex filio est nominandus.*

acie: *de Or.* I. 32. 147, *in foro tamquam in acie;* I. 34. 157, *in aciem forensem;* Quint. X. 1. 29.

223. **eodem**: *i.e.* **praesidiis rei publicae.**

Caepionem: husband of Livia (222. n.): the **nimis . . . deditus** is rather coolly said to the grandson.

ferrem, nisi nimis equestri ordini deditus a senatu dissedisset. Cn. Carbonem, M. Marium, et ex eodem genere compluris minime dignos elegantis conventus auribus aptissimos cognovi turbulentis contionibus; quo in genere, ut in his perturbem aetatum ordinem, nuper L. Quinctius fuit; aptior etiam Palicanus auribus im-
224 peritorum. Et quoniam huius generis facta mentio est, seditiosorum omnium post Gracchos L. Appuleius Saturninus eloquentissimus visus est, magis specie tamen et motu atque ipso amictu capiebat homines quam aut dicendi copia aut mediocritate prudentiae. Longe autem post natos homines improbissimus C. Servilius Glaucia, sed peracutus et callidus cum primisque ridiculus. Is ex summis et fortunae et vitae sordibus in praetura consul factus esset, si rationem eius haberi licere iudicatum esset; nam et plebem tenebat et equestrem ordinem beneficio legis devinxerat. Is praetor eodem die, quo Saturninus tribunus plebis, Mario et Flacco consulibus publice est interfectus; homo simillimus Atheniensis Hyperboli, cuius improbitatem veteres Atticorum co-
225 moediae notaverunt. Quos Sex. Titius consecutus homo loquax sane et satis acutus, sed tam solutus et mollis in

dissedisset: *de Fin.* I. 18. 58, *animus a se ipse dissidens secumque discordans; de Or.* II. 40. 170.

224. **Saturninus**: cf. *de Harusp. resp.* 19. 41.

amictu: Quintilian (XI. 3. 137 sq.) thinks it worth while to speak of the orator's dress.

mediocritate: in a good sense; cf. 149.

post natos homines: Lucil. IV. 18; *pro Mil.* 26. 69; cf. 54. n.

summis, *extreme*: *de Am.* 17. 61; Sall. *Cat.* 12.

in praetura: two years must intervene between the prætorship and the consulship.

rationem: Cæs. *B. C.* I. 9, *cuius absentis rationem haberi proximis comitiis populus iussisset;* III. 82.

legis: *de repetundis*, B.C. 100.

publice: *i.e.* by order of the state.

225. **solutus**, *loose*: Tac. *Ann.* XVI. 18, *dicta factaque eius . . . solutiora et quandam sui neglegentiam praeferentia.*

mollis: *de Or.* I. 52. 226; Quint. XI. 3. 128, where this account is repeated.

gestu, ut saltatio quaedam nasceretur, cui saltationi Titius nomen esset: ita cavendum est ne quid in agendo dicendove facias, cuius imitatio rideatur. Sed 63
ad paulo superiorem aetatem revecti sumus: nunc ad eam de qua aliquantum sumus locuti revertamur.

Coniunctus igitur Sulpicii aetati P. Antistius fuit, 226
rabula sane probabilis, qui multos cum tacuisset annos neque contemni solum, sed inrideri etiam solitus esset, in tribunatu primum contra C. Iulii illam consulatus petitionem extraordinariam veram causam agens est probatus; et eo magis, quod eandem causam cum ageret eius conlega ille ipse Sulpicius, hic plura et acutiora dicebat. Itaque post tribunatum primo multae ad eum causae, deinde omnes maximae, quaecumque erant, deferebantur. Rem videbat acute, componebat diligenter, 227
memoria valebat; verbis non ille quidem ornatis utebatur, sed tamen non abiectis; expedita autem erat et perfacile currens oratio, et erat eius quidam tamquam habitus non inurbanus; actio paulum cum vitio vocis tum etiam ineptiis claudicabat. Hic temporibus floruit eis, quibus inter profectionem reditumque L. Sullae sine iure fuit et sine ulla dignitate res publica; hoc etiam magis probabatur, quod erat ab oratoribus quaedam in

63. revecti: cf. *invehi*, 218, and the following **revertamur**.

226. **Antistius**: father-in-law of Pompeius Magnus.

veram: cf. *Phil.* V. 18. 50, *verae, gravi, solidae gloriae.* C. Cæsar, the orator, stood for the consulship B.C. 88, without having been prætor.

227. **videbat**: this clause refers to the first of the five parts of oratory; the next two to the second and fourth; then, to **inurbanus**, comes the third; and last, **actio**: 25. n.

habitus, *character: de Or.* III. 52. 199, *habitum etiam orationis;* Quint. V. 12. 18.

ineptiis: such as are censured, *Or.* 18. 59; Quint. XI. 3, *saepe.*

profectionem: when Sulla set out for the Mithridatic war, B.C. 87, Cinna threw the state into confusion.

reditum: B.C. 82; (to Italy, B.C. 83).

foro solitudo: Sulpicius occiderat, Cotta aberat et Curio, vivebat e reliquis patronis eius aetatis nemo praeter Carbonem et Pomponium, quorum utrumque facile superabat.

64 228 Inferioris autem aetatis erat proximus L. Sisenna, doctus vir et studiis optimis deditus, bene Latine loquens, gnarus rei publicae, non sine facetiis, sed neque laboris multi nec satis versatus in causis; interiectusque inter duas aetates Hortensii et Sulpicii nec maiorem consequi poterat et minori necesse erat cedere. Huius omnis facultas ex historia ipsius perspici potest, quae cum facile omnis vincat superiores, tum indicat tamen quantum absit a summo quamque genus hoc scriptionis nondum sit satis Latinis litteris inlustratum. Nam Q. Hortensii admodum adulescentis ingenium ut Phidiae
229 signum simul aspectum et probatum est. Is L. Crasso Q. Scaevola consulibus primum in foro dixit et apud hos ipsos quidem consules, et cum eorum qui adfuerunt, tum ipsorum consulum, qui omnis intellegentia anteibant, iudicio discessit probatus. Undeviginti annos natus erat eo tempore, est autem L. Paullo C. Marcello consulibus mortuus; ex quo videmus eum in patrono-

solitudo: akin to *orbitas* and *inopia*: cf. Ter. *And.* 290, *per huius* [*orbae*] *solitudinem te obtestor*; Quint. VI. 1. 18, *aut liberorum ac parentium solitudinem conqueritur*; *in Verr.* II. 1. 58. 153; *ad Q. Fr.* I. 1. 8. 25, *inopiam ac solitudinem*. For the construction with **ab**, cf. *pro Flac.* 23. 54, *orba fuit ab optimatibus illa contio*; *de Dom.* 22. 58.

Cotta: in exile; **Curio**, *legatus* with Sulla.

Carbonem et Pomponium: 221.

64. 228. **studiis**: he was not only an historian but a translator, and a commentator on Plautus.

laboris: cf. *de Or.* I. 1. 1, *infinitus forensium rerum labor*.

inter duas: Sulpicius was born B.C. 124; Hortensius, 114.

maiorem: sc. **natu**.

vincat: after **cum** in a rhetorical contrast of a general with a particular statement; cf. R. 1734.

nam: goes back to **necesse erat cedere**.

adulescentis: 301.

Phidiae: cf. 70.

229. **primum**: B.C. 95.

discessit: Caes. *B. C.* I. 47; III. 47; *ad Fam.* XII. 3. 2.

mortuus: B.C. 50; cf. 1.

rum numero annos quattuor et quadraginta fuisse. Hoc de oratore paulo post plura dicemus, hoc autem loco voluimus eius aetatem in disparem oratorum includere. Quamquam id quidem omnibus usu venire necesse fuit, quibus paulo longior vita contigit, ut et cum multo maioribus natu quam essent ipsi, et cum aliquanto minoribus compararentur; ut Accius isdem aedilibus ait se et Pacuvium docuisse fabulam, cum ille octoginta, ipse triginta annos natus esset. Sic Hortensius non cum 230
suis aequalibus solum, sed et mea cum aetate et cum tua, Brute, et cum aliquanto superiore coniungitur; si quidem et Crasso vivo dicere solebat et magis iam etiam vigebat Antonio, et cum Philippo iam sene pro Cn. Pompeii bonis dicens in illa causa, adulescens cum esset, princeps fuit, et in eorum quos in Sulpicii aetate posui numerum facile pervenerat, et suos inter aequalis M. Pisonem, M. Crassum, Cn. Lentulum, P. Lentulum Suram longe praestitit, et me adulescentem nactus octo annis minorem quam erat ipse, multos annos in studio

post: *e.g.* 301 sq.

disparem: sc. **aetatem**, which some editions have.

includere: for the construction with **in** and acc., cf. *Or.* 5. 19; *ad Att.* I. 16. 10; XIII. 19. 3.

usu, *experience.*

docuisse: 72; B.C. 140.

230. **vivo**: Crassus died B.C. 91; Antonius, 87.

vigebat, *flourished:* **magis**, *i.e.* than while Crassus was alive. This change within the four years' interval has been compared with the two years' change wrought in Cicero: cf. 316; but Cicero took greater pains. Or. gives a different turn to **magis . . . vigebat**; *id est, fortior et acrior habebatur quam Antonius.*

Antonio: sc. **vivo.**

bonis: Pompey's father (175) had not accounted to the public treasury for the booty taken at Asculum, and an action for recovery was brought against the son; Plut. *Pomp.* 2. 4.

princeps fuit: a further advance in reputation to the very foremost place. And this oratorical triumph was gained B.C. 86, the next year after the death of Antonius.

pervenerat: 243; 263.

aequalis: these names are reviewed 233 sq. There is here a rapid transition from the older contemporaries of Hortensius to his coevals, and thence to his younger contemporaries Cicero and Brutus; cf. 230. *init.*

nactus: = 'after falling in with.'

eiusdem laudis exercuit, et tecum simul, sicut ego pro multis, sic ille pro Appio Claudio dixit paulo ante mortem.

65 231 Vides igitur ut ad te oratorem, Brute, pervenerimus,
tam multis inter nostrum tuumque initium dicendi inter-
positis oratoribus. Ex quibus, quoniam in hoc sermone
nostro statui neminem eorum qui viverent nominare, ne
vos curiosius eliceretis ex me quid de quoque iudica-
rem, eos qui iam sunt mortui nominabo.' Tum Brutus,
'Non est,' inquit, 'ista causa quam dicis, quam ob rem
de eis qui vivunt nihil velis dicere.' 'Quaenam igi-
tur,' inquam, 'est?' 'Vereri te,' inquit, 'arbitror ne
per nos hic sermo tuus emanet et ei tibi suscenseant,
quos praeterieris.' 'Quid? vos,' inquam, 'tacere non
poteritis?' 'Nos quidem,' inquit, 'facillime; sed tamen
te arbitror malle ipsum tacere quam taciturnitatem nos-
232 tram experiri.' Tum ego, 'Vere tibi,' inquam, 'Brute,
dicam. Non me existimavi in hoc sermone usque ad
hanc aetatem esse venturum; sed ita traxit ordo aeta-
tum orationem, ut iam ad minores etiam pervenerim.'
'Interpone igitur,' inquit, 'si quos videtur; deinde rede-
amus ad te et ad Hortensium.' 'Immo vero,' inquam,
'ad Hortensium; de me alii dicent, si qui volent.' 'Mi-
nime vero,' inquit: 'nam etsi me facile omni tuo sermone
tenuisti, tamen is mihi longior videtur, quod propero
audire de te; nec vero tam de virtutibus dicendi tuis,

ego: sc. **tecum**; cf. 324.

Appio: 267; he was accused of *ambitus*, B.C. 50; cf. 324.

65. 231. **ut**, *how*; Hor. *Od.* I. 9. 1, *vides ut alta stet nive candidum Soracte*; Verg. *Aen.* I. 667; VII. 814–16.

interpositis: Cicero's first oratorical appearance was as early as B.C. 81, four years after the birth of Brutus.

curiosius: cf. 133; there is here the notion expressed in our *curiosity* = inquisitiveness.

emanet: *ad Att.* III. 12. 2, where it = *excidere*.

232. **minores**: 228.

virtutibus: 235; Quint. I. 11. 14.

quae cum omnibus tum certe mihi notissimae sunt, quam quod gradus tuos et quasi processus dicendi studeo cognoscere.' 'Geretur,' inquam, 'tibi mos, quoniam 233
me non ingenii praedicatorem esse vis, sed laboris mei; verum interponam, ut placet, alios et a M. Crasso, qui fuit aequalis Hortensii, exordiar.

Is igitur mediocriter a doctrina instructus, angustius **66**
etiam a natura, labore et industria et quod adhibebat ad obtinendas causas curam etiam et gratiam, in principibus patronis aliquot annos fuit. In huius oratione sermo Latinus erat, verba non abiecta, res compositae diligenter, nullus flos tamen neque lumen ullum; animi magna, vocis parva contentio, omnia fere ut similiter atque uno modo dicerentur. Nam huius aequalis et inimicus C. Fimbria non ita diu iactare se potuit; qui omnia magna voce dicens, verborum sane bonorum cursu quodam incitato ita furebat tamen, ut mirarere tam alias res agere populum, ut esset insano inter disertos locus. Cn. au- 234
tem Lentulus multo maiorem opinionem dicendi actione

processus: 272; *Or.* 62. 210 (but see Sandys).

233. **laboris**: cf. 318.

Crasso: the triumvir; Plutarch (*Crass.* 3) speaks of the careful attention he paid to oratory.

66. **a**: 161. n.

instructus, *equipped.*

gratiam: Crassus was both rich and complaisant; cf. *de Off.* I. 30. 109.

compositae: 227.

flos: 66; 298.

lumen: Quint. VIII. 5. 34, *ego vero haec lumina orationis velut oculos quosdam esse eloquentiae credo;* VIII. 5. 29; IX. 2. 102; XII. 10. 49; cf. 275.

contentio: 202. n.; strenuous effort of the voice = emphasis and heightened tones; cf. *Or.* 17. 56; 25. 85; *de Or.* III. 45. 177; 53. 203.

nam: refers to **aliquot annos fuit.**

tamen: contrasts **furebat** with **bonorum.**

alias res agere: = 'to be inattentive or indifferent'; Ter. *Eun.* 348, *alias res agis; Hec.* 826; *de Or.* III. 14. 51; *pro Clu.* 64. 179, *Oppianicum aliud agentem ac nihil eius modi cogitantem;* Tac. *Agr.* 43.

insano: cf. *pro Rosc. Am.* 12. 33; Quint. VIII. 3. 32, *ab nominibus quoque derivata sunt quaedam, ut a Cicerone 'sullaturit,' ab Asinio 'fimbriatum' et 'figulatum';* where, according to Ell., *fimbriare = insanire.*

faciebat quam quanta in eo facultas erat. Qui cum esset nec peracutus, quamquam et ex facie et ex voltu videbatur, nec abundans verbis, etsi fallebat in eo ipso, sic intervallis, exclamationibus, voce suavi et canora, admiranda dignitate valebat in agendo, ut ea quae deerant non desiderarentur. Ita, tamquam Curio copia non nulla verborum, nullo alio bono, tenuit oratorum locum,
235 sic Lentulus ceterarum virtutum dicendi mediocritatem actione occultavit, in qua excellens fuit. Neque multo secus P. Lentulus, cuius et excogitandi et loquendi tarditatem tegebat formae dignitas, corporis motus plenus et artis et venustatis, vocis et suavitas et magnitudo; sed in hoc nihil praeter actionem fuit, cetera etiam minora
67 236 quam in superiore. M. Piso quidquid habuit, habuit ex disciplina, maximeque ex omnibus qui ante fuerunt Graecis doctrinis eruditus fuit. Habuit a natura genus quoddam acuminis, quod etiam arte limaverat, quod erat in reprehendendis verbis versutum et sollers, sed saepe stomachosum, non numquam frigidum, interdum etiam

234. **voltu**: cf. Quint. XI. 3. 47, where *voltus* is made more changeable than *facies*.

intervallis: cf. *Or.* 16. 53, *distincta alios et interpuncta intervalla, morae respirationesque delectant;* 56. 187; 66. 222.

valebat: see textual notes.

bono: subst.; cf. *pro Marc.* 6. 19.

oratorum: for plur., cf. *de Or.* II. 49.200, *pro meo sodali, qui mihi in liberum loco more maiorum esse deberet.*

235. **P. Lentulus**: one of the Catilinarian conspirators; *in Cat.* III. 5. 11, *ingenium illud et dicendi exercitatio, qua semper valuit.*

formae dignitas: *de Off.* I. 36. 130; 'nobleness of mien.'

67. 236. **maxime . . . qui ante**: a blending of constructions; cf. Tac. *Hist.* I. 50, *solusque omnium ante se principum; Agr.* 34, *hi ceterorum Britannorum fugacissimi.* The superlative is sometimes joined to a gen. of distinction in Greek; Had. & Al. Gram. 755 *b*. Cf. Milton's 'Adam, the goodliest man of men since born his sons; the fairest of her daughters, Eve.' A leading English writer, in the *Fortnightly*, quotes another leading writer as follows: 'So far from being the least fit for political influence of all classes in the community, the best part of the working class forms the most fit of all others.'

reprehendendis, *seizing* (and *judging*).

facetum. Is laborem quasi cursum forensem diutius non tulit, quod et corpore erat infirmo et hominum ineptias ac stultitias, quae devorandae nobis sunt, non ferebat, iracundiusque respuebat sive morose, ut putabatur, sive ingenuo liberoque fastidio. Is cum satis floruisset adulescens, minor haberi est coeptus postea; deinde ex virginum iudicio magnam laudem est adeptus, et ex eo tempore quasi revocatus in cursum tenuit locum tam diu quam ferre potuit laborem; postea, quantum detraxit ex studio, tantum amisit ex gloria. P. Murena medio- 237
cri ingenio, sed magno studio rerum veterum, litterarum et studiosus et non imperitus, multae industriae et magni laboris fuit. C. Censorinus Graecis litteris satis doctus, quod proposuerat explicans expedite, non invenustus actor, sed iners et inimicus fori. L. Turius parvo ingenio, sed multo labore, quoquo modo poterat saepe dicebat; itaque ei paucae centuriae ad consulatum defuerunt. C. Macer auctoritate semper eguit, sed fuit 238
patronus propemodum diligentissimus. Huius si vita, si mores, si voltus denique non omnem commendationem ingenii everteret, maius nomen in patronis fuisset. Non erat abundans, non inops tamen, non valde nitens, non plane horrida oratio; vox, gestus et omnis actio sine

forensem: join with **laborem**.
diutius: = 'a long while'; *Or.* 3. 10; Caes. *B. G.* III. 9; IV. 35, *et saepe;* Tac. *Hist.* I. 9; *legiones diutius sine consulari fuere.* Cf. **iracundius** below.
devorandae, *to be swallowed* (as disagreeable medicines); *Phil.* VI. 6. 17; Quint. XI. 2. 41, *devoret initio taedium illud.*
iudicio: not the case referred to in 160; supposed to be the *virginum absolutio* which Cicero speaks of *in Cat.* III. 4. 9, as having occurred ten years before his consulship.
revocatus: a word of the theatre and the circus.
detraxit: 247.
237. **industriae**: both abl. and gen. of quality in these clauses. **Industriae** and **laboris** are hardly more permanent than **studio**; less so than **ingenio**; cf. **multo labore** below.
paucae . . . defuere: *i.e.* he failed by only a few votes.
238. **everteret**: cf. 40. n.; im-

lepore; at in inveniendis componendisque rebus mira adcuratio, ut non facile in ullo diligentiorem maioremque cognoverim, sed eam ut citius veteratoriam quam oratoriam diceres. Hic etsi etiam in publicis causis probabatur, tamen in privatis inlustriorem obtinebat locum.

68 239 C. deinde Piso statarius et sermonis plenus orator, minime ille quidem tardus in excogitando, verum tamen voltu et simulatione multo etiam acutior quam erat videbatur. Nam eius aequalem M'. Glabrionem, bene institutum avi Scaevolae diligentia, socors ipsius natura neglegensque tardaverat. Etiam L. Torquatus elegans in dicendo, in existimando admodum prudens, toto genere perurbanus. Meus autem aequalis Cn. Pompeius, vir ad omnia summa natus, maiorem dicendi gloriam habuisset, nisi eum maioris gloriae cupiditas ad bellicas laudes abstraxisset. Erat oratione satis amplus, rem prudenter videbat; actio vero eius habebat et in voce magnum splendorem et in
240 motu summam dignitatem. Noster item aequalis D. Silanus, vitricus tuus, studii ille quidem habuit non multum, sed acuminis et orationis satis. Q. Pompeius A. f., qui Bithynicus dictus est, biennio quam nos fortasse maior, summo studio dicendi multaque doctrina, incredibili labore atque industria; quod scire

perf. to denote continuance or repetition.

veteratoriam, *merely adroit* (from practice); 261; cf. 82.

68. 239. **nam**: (but there was one who was **tardus**) *for*, etc.

socors: = (in Cic.) not *segnis*, but *stolidus*; cf. Liv. IX. 34, *quam isti stolidos ac socordes videri creditis eos?* **Neglegens** is here coupled with it, but 'the *neglegens* acts without thought or purpose'; Doed. *Syn.*

Torquatus: mentioned in Nepos (*Att.* 1) as a fellow-student of Atticus and Cicero.

existimando: cf. 92; here referring to judgment in selecting his material.

genere, *style*; 116; 202; 271; but cf. 126, *genere toto*.

aequalis: he was born the same year, B.C. 106.

maioris gloriae: the repetition of these words can hardly be unintentional. They 'point a moral.'

splendorem: 203.

240. **orationis**: 175. n.

possum, fuit enim mecum et cum M. Pisone cum amicitia tum studiis exercitationibusque coniunctus. Huius actio non satis commendabat orationem; in hac enim satis erat copiae, in illa autem leporis parum. Erat eius 241
aequalis P. Autronius, voce peracuta atque magna, nec alia re ulla probabilis, et L. Octavius Reatinus, qui cum multas iam causas diceret, adulescens est mortuus, — is tamen ad dicendum veniebat magis audacter quam parate, — et C. Staienus, qui se ipse adoptaverat et de Staieno Aelium fecerat, fervido quodam et petulanti et furioso genere dicendi; quod quia multis gratum erat et probabatur, ascendisset ad honores, nisi in facinore manifesto deprehensus poenas legibus et iudicio dedisset. Eodem tempore C. L. Caepasii fratres fuerunt, 69 242
qui multa opera, ignoti homines et repentini, quaestores celeriter facti sunt, oppidano quodam et incondito genere dicendi. Addamus huc etiam, ne quem vocalem praeterisse videamur, C. Cosconium Calidianum, qui nullo acumine eam tamen verborum copiam, si quam habebat, praebebat populo cum multa concursatione magnoque clamore. Quod idem faciebat Q. Arrius, qui fuit M. Crassi quasi secundarum. Is omnibus exemplo debet esse, quantum in hac urbe polleat multorum oboe-

commendabat, *set off;* cf. 216.

241. **peracuta**: a shrill, penetrating voice is often a fine endowment for an orator. Suetonius (*I. C.* 55) says that Caesar spoke *voce acuta*.

se . . . adoptaverat: a sarcastic reference to his low origin and his anxiety to ingraft himself on some better stock; cf. *pro Clu.* 26. 72.

deprehensus: *pro Clu.* 36. 99; *Top.* 20. 75.

69. 242. **Caepasii**: *pro Clu.* 20. 57, *homines industrios atque eo animo, ut quaecumque dicendi potestas esset data, in honore atque in beneficio ponerent.* Cicero goes on (*pro Clu.* 21) to give an amusing account of the discomfiture of the elder Cæpasius in pleading for Fabricius.

repentini, '*upstart.*'

oppidano, *provincial.*

vocalem: *i.e.* with a voice used in public; cf. 244.

eam . . . si quam: = *whatever;* 298; *div. in Caecil.* 15. 49.

clamore: not in the good sense of 164.

dire tempori multorumque vel honori vel periculo ser-
243 vire. His enim rebus infimo loco natus et honores et pecuniam et gratiam consecutus etiam in patronorum — sine doctrina, sine ingenio — aliquem numerum pervenerat. Sed ut pugiles inexercitati, etiamsi pugnos et plagas Olympiorum cupidi ferre possunt, solem tamen saepe ferre non possunt, sic ille, cum omni iam fortuna prospere functus labores etiam magnos excepisset, illius iudicialis anni severitatem quasi solem non tulit.'

244 Tum Atticus, 'Tu quidem de faece,' inquit, 'hauris, idque iam dudum; sed tacebam; hoc vero non putabam, te usque ad Staienos et Autronios esse venturum.' 'Non puto,' inquam, 'existimare te ambitione me labi, quippe de mortuis; sed ordinem sequens in memoriam notam et aequalem necessario incurro. Volo autem hoc perspici, omnibus conquisitis, qui in multitudine dicere ausi sint, memoria quidem dignos perpaucos, verum qui omnino nomen habuerint, non ita multos fuisse. Sed
70 245 ad sermonem institutum revertamur. T. Torquatus T. f., et doctus vir ex Rhodia disciplina Molonis et a natura ad dicendum satis solutus atque expeditus, cui si vita

tempori: Plaut. *Ps.* 958, *nunc occasio est et tempus.*

243. **Olympiorum**: cf. *Tusc.* II. 17. 41.

ferre non possunt: cf. Quint. XI. 3. 26–7.

functus: cf. Hor. *Od.* IV. 15. 29, *virtute functos . . . duces.*

excepisset: Cæs. *B. G.* I. 52, *Germani celeriter . . . impetus gladiorum exceperunt:* the word is used with **labores** as it would be with *plagas;* cf. Juv. VIII. 250.

illius . . . anni: *i.e.* B.C. 52; cf. 324; Tac. *Dial.* 38; *de Fin.* IV. 1. 1.

severitatem: Pompey's law cut down the prosecution to two hours, and the defence to three. These limitations were fatal to ill-considered and confused oratory.

244. **hauris**: 288.

labi: Quint. X. 1. 94, *nisi labor eius amore.*

notam et aequalem: = 'the well-known (record) of our own time'; *de Leg.* I. 3. 8, *ipse autem aequalem aetatis suae memoriam deposcit.*

incurro: 251.

70. 245. **Molonis**: 312; 316.

vita: 105.

suppeditavisset, sublato ambitu consul factus esset, plus facultatis habuit ad dicendum quam voluntatis, itaque studio huic non satis fecit; officio vero nec in suorum necessariorum causis nec in sententia senatoria defuit. Etiam M. Pontidius municeps noster multas privatas 246
causas actitavit, celeriter sane verba volvens nec hebes in causis, vel dicam plus etiam quam non hebes, sed effervescens in dicendo stomacho saepe iracundiaque vehementius; ut non cum adversario solum, sed etiam, quod mirabile esset, cum iudice ipso, cuius delenitor esse debet orator, iurgio saepe contenderet. M. Messalla minor natu quam nos, nullo modo inops, sed non nimis ornatus genere verborum; prudens, acutus, minime incautus patronus, in causis cognoscendis componendisque diligens, magni laboris, multae operae multarumque causarum. Duo etiam Metelli, Celer et Nepos, 247
non nihil in causis versati nec sine ingenio nec indocti, hoc erant populare dicendi genus adsecuti. Cn. autem Lentulus Marcellinus nec umquam indisertus et in consulatu pereloquens visus est, non tardus sententiis, non inops verbis, voce canora, facetus satis. C. Memmius

sublato: because of the more stringent *lex Pompeia de ambitu*, B.C. 52; the same law as that whose rule of procedure was referred to in 243.

huic: = *oratorio*.

246. **noster**: *i.e.* of Arpinum.

volvens: 280; *de Or.* III. 47. 182; *Or.* 69. 229.

effervescens: Lucr. III. 295; *de Or.* II. 21. 88; Tac. *Dial.* 10.

stomacho: *in Verr.* II. 2. 20. 48; cf. 236; 326.

esset: subjunc. by attraction.

incautus, *unwary*.

operae: 174; *de Or.* I. 55. 234, *in ea tu plus operae laborisque consumpseras.* In the text, **laboris** is unwearied exertion, **operae** is serviceable activity. 'To take pains' is an idiomatic equivalent for *dare operam;* but there is more of irksomeness in *labor* than in *opera*.

247. **Metelli**: their father was Nepos, grandson of the famous Metellus Macedonicus. But their exact place is in dispute; an excuse for the uncertainty being found in *Tusc.* I. 35. 85, *Metellum enim multi filii filiae, nepotes neptes in rogum inposuerunt.*

inops: 238; 263.

L. f., perfectus litteris, sed Graecis, fastidiosus sane Latinarum, argutus orator verbisque dulcis, sed fugiens non modo dicendi, verum etiam cogitandi laborem, tantum sibi de facultate detraxit quantum imminuit industriae.'

71 248 Hoc loco Brutus, 'Quam vellem,' inquit, 'de his etiam oratoribus, qui hodie sunt, tibi dicere liberet! et, si de aliis minus, de duobus tamen, quos a te scio laudari solere, Caesare et Marcello, audirem non minus libenter quam audivi de eis qui fuerunt.' 'Cur tandem?' inquam; 'an exspectas quid ego iudicem de istis, qui tibi sunt aeque noti ac mihi?' 'Mihi mehercule,' inquit, 'Marcellus satis est notus, Caesar autem parum. Illum enim saepe audivi; hic, cum ego iudicare
249 iam aliquid possem, afuit.' 'Quid igitur de illo iudicas, quem saepe audivisti?' 'Quid censes,' inquit, 'nisi id, quod habiturus es similem tui?' 'Ne ego,' inquam, 'si ita est, velim tibi eum placere quam maxime.' 'Atqui et ita est,' inquit, 'et vehementer placet; nec vero sine causa. Nam et didicit et omissis ceteris studiis unum id egit seseque cotidianis commentationibus acerrime exer-
250 cuit. Itaque et lectis utitur verbis et frequentibus *sen-*

perfectus: for the more usual construction with *in*, cf. 264.

71. 248. **vellem**: condition suppressed.

afuit: 10 years, in Spain and Gaul.

249. **quod**: conj.; with **nisi**, usually after a negative (or virtually negative) proposition. Also after an affirmative one; *e.g. ad Att.* II. 1. 11, = 'save that.'

similem: *ad Fam.* XV. 9. 1, [Cicero to Marcellus] *maximaque laetitia adficior, cum . . . vel me tui similem esse audio vel te mei.*

ne: 251; 266; 295; *nae* is an incorrect spelling.

vehementer: cf. *ad Att.* XIII. 21. 3, *illud tuum . . . vehementer displicet.* The word is often colloquial, as here; see the comedians; and the Ciceronian epistles, *e.g. ad Fam.* XVI. 21, *quater.*

didicit: for the omission of object, cf. *de Or.* II. 1. 4; *Or.* 42. 146; Quint. VIII., *Pro.* 29; I. 12. 14; XII. 2. 12.

250. **verbis, sententiis**: *elocutio* and *inventio.* For adj. and **sententiis**, cf. 29; 247; 264; and

tentiis, et splendore vocis et dignitate motus fit specio-
sum et inlustre quod dicit; omniaque sic suppetunt ut
ei nullam deesse virtutem oratoris putem; maximeque
laudandus est, qui hoc tempore ipso, quod liceat, in hoc
communi nostro et quasi fatali malo consoletur se cum
conscientia optimae mentis tum etiam usurpatione et
renovatione doctrinae. Vidi enim Mytilenis nuper virum
atque, ut dixi, vidi plane virum. Itaque cum eum antea
tui similem in dicendo viderim, tum vero nunc a doctis-
simo viro tibique, ut intellexi, amicissimo Cratippo in-
structum omni copia multo videbam similiorem.' Hic 251
ego, 'Etsi,' inquam, 'de optimi viri nobisque amicissimi
laudibus libenter audio, tamen incurro in memoriam
communium miseriarum, quarum oblivionem quaerens
hunc ipsum sermonem produxi longius. Sed de Cae-
sare cupio audire, quid tandem Atticus iudicet.' Et 72
ille, 'Praeclare,' inquit, 'tibi constas, ut de eis qui nunc
sint nihil velis ipse dicere; et hercule si sic ageres, ut
de eis egisti qui iam mortui sunt, neminem ut praeter-
mitteres, ne tu in multos Autronios et Staienos incur-
reres. Qua re, sive hanc turbam effugere voluisti sive
veritus es ne quis se aut praeteritum aut non satis lau-
datum queri posset, de Caesare tamen potuisti dicere,

especially 173, *creber in reperiendis . . . sententiis.*

speciosum: cf. 220.

suppetunt: Liv. IV. 22; cf. *suppeditare.*

quod: restrictive; cf. *de Fin.* II. 3. 7, *quod sciam; ad Fam.* IV. 2. 4; XIII. 23. 2.

fatali, *fated* (not *fatal*, except in poetry and later prose); *in Cat.* III. 4. 9, where cf. *ex fatis Sibyllinis haruspicumque responsis* with *dixisse fatalem hunc annum esse*; IV. 1. 2.

plane virum: cf. Sen. *ad Helv.* IX. 4, *Brutus in eo libro quem de virtute composuit ait se Marcellum vidisse Mytilenis exsulantem et, quantum modo natura hominis pateretur, beatissime viventem neque umquam cupidiorem bonarum artium.*

251. **produxi**: *de Sen.* 14. 46; Hor. *Sat.* I. 5. 70.

72. ille: *i.e.* Brutus.

constas: *pro Clu.* 22. 60; Hor. *Ep.* I. 14. 16; *A. P.* 127.

nihil: 231.

Autronios: 244.

praesertim cum et tuum de illius ingenio notissimum iudicium esset nec illius de tuo obscurum.'

252 'Sed tamen, Brute,' inquit Atticus, 'de Caesare et ipse ita iudico et de hoc huius generis acerrimo existimatore saepissime audio, illum omnium fere oratorum Latine loqui elegantissime; nec id solum domestica consuetudine, ut dudum de Laeliorum et Muciorum familiis audiebamus, sed, quamquam id quoque credo fuisse, tamen ut esset perfecta illa bene loquendi laus, multis litteris et eis quidem reconditis et exquisitis summoque studio et
253 diligentia est consecutus. Qui etiam in maximis occupationibus ad te ipsum,' inquit in me intuens, 'de ratione Latine loquendi adcuratissime scripserit primoque in libro dixerit, verborum delectum originem esse eloquentiae, tribueritque, mi Brute, huic nostro, qui me de illo maluit quam se dicere, laudem singularem; nam scripsit his verbis, cum hunc nomine esset adfatus: "ac si, ut cogitata praeclare eloqui possent, non nulli studio et usu elaboraverunt, cuius te paene principem copiae atque

tuum: cf. *Phil.* II. 45. 116, *fuit in illo ingenium, ratio, memoria, litterae, cura, cogitatio, diligentia;* and Suet. *Iul. Caes.* 55. With Cicero's corresponds the later judgment of Quintilian; X. 1. 114, *C. vero Caesar, si foro tantum vacasset, non alius ex nostris contra Ciceronem nominaretur.*

illius: *ad Att.* XII. 40. 1, *qualis futura sit Caesaris vituperatio contra laudationem meam, perspexi ex eo libro . . . in quo colligit vitia Catonis, sed cum maximis laudibus meis.* Cf. 253.

252. **de hoc**: **de** here = *from;* for this use with *audire*, cf. *pro Balb.* 5. 11; *de Or.* III. 33. 133; **hoc** = *Cicerone.*

elegantissime: cf. Quint. X. 1. 114, *exornat Caesar omnia sermonis, cuius proprie studiosus fuit, elegantia;* Gell. XIX. 8. 3, *Caesar, sermonis praeter alios suae aetatis castissimi.*

dudum: 138. n.

audiebamus: cf. 211.

253. **scripserit**: Suet. *Iul. Caes.* 56, *de Analogia libros duos . . . in transitu Alpium, cum ex citeriore Gallia conventibus peractis ad exercitum rediret . . . fecit;* Quint. I. 7. 34; Gell. XIX. 8. 3. This work was dedicated to Cicero (**ad te ipsum**).

delectum: as important for *elocutio.* But also Quint. X. 3. 5, *delectus enim rerum verborumque agendus est;* XII. 9. 6.

elaboraverunt, *worked out*, attained the desired end; cf. 26; *Tusc.*

inventorem bene de nomine ac dignitate populi Romani
meritum esse existimare debemus, hunc facilem et coti-
dianum novisse sermonem nunc pro relicto est haben-
dum."' Tum Brutus, 'Amice hercule,' inquit, 'et mag- 78 254
nifice te laudatum puto, quem non solum principem
atque inventorem copiae dixerit, quae erat magna laus,
sed etiam bene meritum de populi Romani nomine et
dignitate. Quo enim uno vincebamur a victa Graecia, id
aut ereptum illis est aut certe nobis cum illis communi-
catum. Hanc autem,' inquit, 'gloriam testimoniumque 255
Caesaris tuae quidem supplicationi non, sed triumphis
multorum antepono.' 'Et recte quidem,' inquam,
'Brute, modo sit hoc Caesaris iudicii, non benevolen-
tiae testimonium. Plus enim certe attulit huic populo
dignitatis, quisquis est ille, si modo est aliquis, qui non
inlustravit modo, sed etiam genuit in hac urbe dicendi

I. 1. 1; *de Off.* I. 1. 3, and Holden's note.

bene de: *ad Fam.* X. 5. 2; Caes. *B. C.* I. 13; III. 99.

pro relicto: cf. *ad Att.* XIII. 1. 2, *istuc iam pro facto habeo;* X. 6. 3, *pro certo habemus.* The clause with **novisse** is a subj. clause. The sense seems to be, 'the ordinary accuracy of easy-going daily speech is a thing no longer in question,' a station once held as an outpost, but now abandoned and 'left behind.' See textual notes.

78. 254. **quo uno**: see Plut. *Cic.* 4, for an anecdote of Cicero's teacher Molo, who, on hearing his pupil declaim, sat silent a long time, and then confessed that he was pitying the hard fate of Greece, from whom the palm of eloquence, her sole remaining glory, was now snatched away.

victa; cf. Hor. *Ep.* II. 1. 156, *Graecia capta ferum victorem cepit.*

255. **gloriam**: cf. 239, *dicendi gloriam;* **gloriam testimoniumque** may be taken as a sort of hendiadys.

supplicationi: a word for public thanksgiving, as well as for public prayer; cf. *in Cat.* III. 6. 15, *quod mihi primum post hanc urbem conditam togato contigit;* Juv. VIII. 244, *Roma patrem patriae Ciceronem libera dixit; in Pis.* 3. 6.

triumphis: Cicero's one claim for a military triumph (for successes in Cilicia) was not allowed. This just reflection on his higher glory as an orator might well have come to him a few years earlier. Cf. his letter to Cato, *ad Fam.* XV. 6. He needed a triumph no more than Daniel Webster needed to be President of the United States.

benevolentiae: 190.

genuit: cf. Sen. *Ep.* 40. 11, *Cicero quoque noster, a quo Romana eloquentia exsiluit.*

copiam, quam illi qui Ligurum castella expugnaverunt;
256 ex quibus multi sunt, ut scitis, triumphi. Verum quidem si audire volumus, omissis illis divinis consiliis, quibus saepe constituta est imperatorum sapientia salus civitatis aut belli aut domi, multo magnus orator praestat minutis imperatoribus. At prodest plus imperator. Quis negat? Sed tamen — non metuo ne mihi adclametis; est autem quod sentias dicendi liber locus — malim mihi L. Crassi unam pro M'. Curio dictionem quam castellanos triumphos duo. At plus interfuit
257 rei publicae castellum capi Ligurum quam bene defendi causam M'. Curii. Credo: sed Atheniensium quoque plus interfuit firma tecta in domiciliis habere quam Minervae signum ex ebore pulcherrimum; tamen ego me Phidiam esse mallem quam vel optimum fabrum tignarium. Qua re non quantum quisque prosit, sed quanti quisque sit ponderandum est; praesertim cum pauci pingere egregie possint aut fingere, operarii au-
74 258 tem aut baiuli deesse non possint. Sed perge, Pomponi, de Caesare et redde quae restant.'

Ligurum: who often rebelled.

256. **verum**: cf. *ad Att.* XII. 41. 3; *Tusc.* II. 23. 55.

sapientia: a second abl.

aut domi: the same men who were *imperatores* abroad (belli) were chief magistrates at home.

minutis: 291; *de Fin.* I. 18. 61, *alii minuti et angusti; de Sen.* 23. 85; cf. *Or.* 27. 94, *ut cum minutum dicimus animum pro parvo, et abutimur verbis propinquis; de Or.* III. 43. 169.

adclametis: the earlier use is for disapproval; *in Pis.* 27. 65; *pro Mur.* 8. 18; *ad Q. Fr.* II. 3. 2; *de Or.* II. 83. 339.

liber: Quint. XII. 8. 7.

257. **signum**: at the Parthenon, chryselephantine: cf. *Tusc.* I. 15. 34; Plut. *Pericl.* 31.

tignarium: *Dig.* L. 16. 235, *fabros tignarios dicimus non eos dumtaxat qui tigna dolant, sed omnes qui aedificant.*

sit: the copula takes on a sort of emphasis, in contrast with **prosit**: but the essential contrast is indicated by the different cases of the same complementary word.

pingere: notice the assonance with **fingere**; cf. Quint. V. 12. 21.

operarii, mere *operatives*: 297; *de Or.* I. 18. 83; I. 62. 263.

baiuli, *porters*: *Parad.* III. 2. 23; *de Or.* II. 10. 40, and Wilk. note.

'Solum quidem,' inquit ille, 'et quasi fundamentum oratoris vides, locutionem emendatam et Latinam, cuius penes quos laus adhuc fuit, non fuit rationis aut scientiae, sed quasi bonae consuetudinis. Mitto C. Laelium, P. Scipionem: aetatis illius ista fuit laus tamquam innocentiae sic Latine loquendi; nec omnium tamen, nam illorum aequalis Caecilium et Pacuvium male locutos videmus; sed omnes tum fere, qui nec extra urbem hanc vixerant nec eos aliqua barbaries domestica infuscaverat, recte loquebantur. Sed hanc certe rem deteriorem vetustas fecit et Romae et in Graecia. Confluxerunt enim et Athenas et in hanc urbem multi inquinate loquentes ex diversis locis; quo magis expurgandus est sermo et adhibenda tamquam obrussa ratio, quae mutari non potest, nec utendum pravissima consuetudinis regula. T. Flamininum, qui cum Q. 259
Metello consul fuit, pueri vidimus; existimabatur bene

74. 258. **fundamentum**: *de Or.* III. 37. 151, *hoc quasi solum quoddam atque fundamentum est, verborum usus et copia bonorum;* Quint. I. 4. 5.

emendatam: Quint. I. 5. 1. For *e* privative, see 100. n.; in verbs, cf. *exanimare, enervare, exonerare, explicare, erudire,* where it denotes a complete change of state or condition.

cuius penes quos, etc.: = 'and they who had the credit of this, thus far, had it not from a right method,' etc.

adhuc: *i.e.* before Cæsar.

Caecilium: *ad Att.* VII. 3. 10, *malus enim auctor Latinitatis est.*

Pacuvium: cf. *Or.* 11. 36.

omnes: cf. *de Or.* III. 10. 39.

eos: to a relative clause another clause may be appended with varying closeness of connection; and even if the connection be close, the unemphatic demonstrative may take the place of the relative; especially (as here) in a change to an oblique case. Cf. *de Fin.* I. 12. 42, *quod ipsum nullam ad aliam rem, ad id autem res referuntur omnes; ad Att.* X. 16. 3; *Or.* 2. 9, *quam intuens in eaque defixus;* Lucr. I. 718–21, and Munro's note; V. 895–8.

barbaries: elsewhere Cicero has the form *barbaria; e.g. de Or.* I. 26. 118, *barbaria forensis.*

vetustas, *the lapse of time.*

obrussa: Sen. *Ep.* 13, 1, *sic versus ille animus probatur; haec eius obrussa est.*

regula: gerundive phrases from verbs that do not take the acc. are impersonal, and govern the same cases as the verbs. The usage sometimes extends to transitive verbs, especially in Varro and Lucretius; *e.g.* Lucr. I. 111, *poenas timendum est.*

259. **Metello,** *Balearico.*

Latine *loqui*, sed litteras nesciebat. Catulus erat ille quidem minime indoctus, ut a te paulo est ante dictum, sed tamen suavitas vocis et lenis appellatio litterarum bene loquendi famam confecerat. Cotta, qui se valde dilatandis litteris a similitudine Graecae locutionis abstraxerat sonabatque contrarium Catulo subagreste quiddam planeque subrusticum, alia quidem quasi inculta et silvestri via ad eandem laudem pervenerat. Sisenna autem quasi emendator sermonis usitati cum esse vellet, ne a C. Rusio quidem accusatore deterreri potuit quo minus inusitatis
260 verbis uteretur.' 'Quidnam istuc est?' inquit Brutus, 'aut quis est iste C. Rusius?' Et ille, 'Fuit accusator,' inquit, 'vetus, quo accusante C. Hirtuleium Sisenna defendens dixit quaedam eius sputatilica esse crimina. Tum C. Rusius "Circumvenior," inquit, "iudices, nisi subvenitis. Sisenna quid dicat nescio; metuo insidias; 'sputatilica,' quid est hoc? 'sputa' quid sit scio, 'tilica' nescio." Maximi risus; sed ille tamen familiaris meus recte loqui putabat
261 esse inusitate loqui. Caesar autem rationem adhibens consuetudinem vitiosam et corruptam pura et incorrupta

loqui: not in the Mss.; others supply **scire**, from the following *nesciebat*.

appellatio: Quint. XI. 3. 35, *ideoque laudatur in Catulo suavis appellatio litterarum*.

Cotta, L.: *de Or.* III. 12. 46, *qua re Cotta noster, cuius tu illa lata, Sulpici, non numquam imitaris;* III. 11. 42; Quint. XI. 3. 10; cf. *de Or.* II. 22. 91.

Graecae: the Greek *locutio* (cf. 258) was elegant, as became their polished tongue; and Greek means, of course, the best Attic.

sonabat: a verb of bodily action, taking a neut. adj. of extent; R. 1096: for the appended **quiddam**, cf. *pro Arch.* 10. 26, *poetis pingue quiddam sonantibus atque peregrinum; de Rep.* III. 2. 3.

subrusticum: *Or.* 48. 161; *ad Fam.* V. 12. 1.

eandem: *i.e.* of speaking well.

260. **vetus**, *practised*.

75. **sputatilica**: a hybrid adj., of Sisenna's own coinage.

inusitate: cf. *Or.* 46. 155, *poeta qui inusitatius contraxerat;* and the 'emendations' there cited.

261. **rationem**: Cæsar's treatise *de Analogia* is referred to above (253) as *de ratione Latine loquendi;* cf. Varr. *L. L.* 9. 2, *consuetudo et analogia coniunctiores sunt inter se quam ei credunt;* 9. 18; Quint. I. 6. 1, *rationem praestat praecipue analogia;* I. 6. 16, *ut*

consuetudine emendat; itaque cum ad hanc elegantiam verborum Latinorum, quae, etiam si orator non sis et sis ingenuus civis Romanus, tamen necessaria est, adiungit illa oratoria ornamenta dicendi, tum videtur tamquam tabulas bene pictas conlocare in bono lumine. Hanc cum habeat praecipuam laudem in communibus, non video cui debeat cedere. Splendidam quandam minimeque veteratoriam rationem dicendi tenet, voce, motu, forma etiam magnifica et generosa quodam modo.' Tum Brutus, 'Orationes 262
quidem eius mihi vehementer probantur; compluris autem legi; atque etiam commentarios quosdam scripsit rerum suarum.' 'Valde quidem,' inquam, 'probandos; nudi enim sunt, recti et venusti, omni ornatu orationis tamquam veste detracta. Sed dum voluit alios habere parata, unde sumerent qui vellent scribere historiam, ineptis gratum fortasse fecit, qui volent illa calamistris inurere; sanos quidem homines a scribendo deterruit. Nihil est enim in historia pura et inlustri brevitate dulcius. Sed ad eos, si placet, qui vita excesserunt, revertamur.

C. Sicinius igitur Q. Pompeii illius, qui censor fuit, ex 76 263
filia nepos, quaestorius mortuus est, probabilis orator, iam

ipsam analogiam nulla res alia fecerit quam consuetudo.

necessaria: *de Or.* III. 14. 52, *nemo enim umquam est oratorem quod Latine loqueretur admiratus; si est aliter, inrident.*

in communibus, sc. **laudibus**.

minime veteratoriam: cf. 238.

262. **commentarios**: 164. n.

nudi: *de Or.* II. 84. 341, *brevitatem habent nudam atque inornatam.*

recti: Quint. IX. 3. 3, *a simplici rectoque loquendi genere deflexa;* IX. 2. 78; cf. X. 1. 44, for differences among those who aspired to the *rectum genus.*

venusti: 325, *concinnis et venustis;* cf. the two words in 272.

detracta: attracted in gender.

calamistris, *crimping pins*, = 'flourish of words': cf. *Or.* 23. 78; Tac. *Dial.* 26.

pura: 261; cf. 274; Quint. V. 14. 33, *sermone puro et dilucido et distincto;* I. 9. 2, *sermone puro et nihil se supra modum extollente;* cf. Cæsar's own characterization of Terence, *puri sermonis amator.*

inlustri, *luminous;* 283; cf. *ad Heren.* IV. 23. 32; Quint. VIII. 3. 43. But *Or.* 25. 85, *lumina adsumet, quae non erunt vehementer inlustria.*

vero etiam probatus, ex hac inopi ad ornandum, sed ad inveniendum expedita, Hermagorae disciplina. Ea dat rationes certas et praecepta dicendi; quae si minorem habent apparatum, sunt enim exilia, tamen habent ordinem et quasdam errare in dicendo non patientis vias. Has ille tenens et paratus ad causas veniens, verborum non egens, ipsa illa comparatione disciplinaque dicendi
264 iam in patronorum numerum pervenerat. Erat etiam vir doctus in primis C. Visellius Varro, consobrinus meus, qui fuit cum Sicinio aetate coniunctus. Is cum post curulem aedilitatem iudex quaestionis esset, est mortuus. In quo fateor volgi iudicium a iudicio meo dissensisse; nam populo non erat satis vendibilis. Praeceps quaedam et cum idcirco obscura, quia peracuta, tum rapida et celeritate caecata oratio; sed neque verbis aptiorem cito alium dixerim neque sententiis crebriorem. Praeterea perfectus in litteris iurisque civilis iam
265 a patre Aculeone traditam tenuit disciplinam. Reliqui sunt, qui mortui sint, L. Torquatus, quem tu non tam

76. 263. **inopi**: cf. 271.

expedita: 220; 227; 271; 280.

apparatum: = 'richness of equipment'; *de Or.* I. 53. 229, *nullo apparatu, pure et dilucide;* II. 82. 333.

ordinem: Quint. II. 17. 41, *esse certe viam atque ordinem in bene dicendo nemo dubitaverit.*

264. **consobrinus**: here in the narrower, etymological sense (from *soror*); *de Or.* II. 1. 2, *cum consobrinis nostris Aculeonis filiis; de Off.* I. 17. 54.

iudex: in criminal proceedings, where the work was too much for the prætor, an assistant judge was named; the title **iudex quaestionis**, belonging to him, was never applied to the prætor. C. Iunius was such a *iudex* in the trial of Oppianicus. Cf. *pro Clu.* 33. 89; 54. 148; and Ramsay, Introd. sect. 9.

dissensisse: contrary to the general rule, 185.

quia: *de Inv.* I. 48. 90; Quint. II. 2. 2; the clause with **quia** often comes first; *e.g. de Am.* 9. 32; *de Fin.* I. 20. 67.

cito: 265.

Aculeone: cf. *de Or.* I. 43. 191. His full name (see the son's name at the beginning of 264) was probably C. Visellius Varro Aculeo.

265. **sint**: restrictive.

Torquatus: the exponent of the Epicurean school in *de Finibus*, so that the first book was called by his name; referring to that book Cicero writes (*ad Att.* XIII. 5. 1), *misi tibi Torquatum.*

cito rhetorem dixisses, etsi non deerat oratio, quam, ut Graeci dicunt, πολιτικόν. Erant in eo plurimae litterae nec eae volgares, sed interiores quaedam et reconditae; divina memoria, summa verborum et gravitas et elegantia, atque haec omnia vitae decorabat dignitas et integritas. Me quidem admodum delectabat etiam Triarii in illa aetate plena litteratae senectutis oratio: quanta severitas in voltu! quantum pondus in verbis! quam nihil non consideratum exibat ex ore!' Tum Brutus 266
Torquati et Triarii mentione commotus, utrumque enim eorum admodum dilexerat, 'Ne ego,' inquit, 'ut omittam cetera, quae sunt innumerabilia, de istis duobus cum cogito, doleo nihil tuam perpetuam auctoritatem de pace valuisse! nam nec istos excellentis viros nec multos alios praestantis civis res publica perdidisset.' 'Sileamus,' inquam, 'Brute, de istis, ne augeamus dolorem; nam et praeteritorum recordatio est acerba et acerbior exspectatio reliquorum. Itaque omittamus lugere et tantum quid quisque dicendo potuerit, quoniam id quaerimus, praedicemus.

Sunt etiam ex eis qui eodem bello occiderunt M. 77 267
Bibulus, qui et scriptitavit adcurate, cum praesertim non esset orator, et egit multa constanter; Appius

ut Graeci: cf. Quint. I. 10. 15.
interiores: *Nat. D.* III. 16. 42; *Acad.* II. 2. 4.
memoria: *de Fin.* II. 34. 113, *memoria rerum innumerabilium, in te quidem infinita.*
delectabat: cf. *ad Att.* XII. 28. 3, *de Triario bene interpretaris voluntatem meam . . . amo illum mortuum, tutor sum liberis, totam domum diligo.*
in illa aetate: cf. 160.
litteratae: *Tusc.* V. 36. 105, *quid est enim dulcius otio litterato?*

266. ne: 249.
de istis: both lost their lives as partisans of Pompey.
tuam: *ad Att.* VII. 14. 3, *equidem ad pacem hortari non desino, quae vel iniusta utilior est quam iustissimum bellum; pro Ligar.* 9. 28, *pacis equidem semper auctor fui; ad Fam.* XVI. 12. 2.
77. 267. cum praesertim, '*and that too though*'; R. 1732; *de Off.* II. 16. 56.
constanter, *sturdily:* cf. *de Am.* 2. 8; 17. 64.

Claudius socer tuus, conlega et familiaris meus; hic iam et satis studiosus et valde cum doctus tum etiam exercitatus orator, et cum auguralis tum omnis publici iuris antiquitatisque nostrae bene peritus fuit; L. Domitius nulla ille quidem arte, sed Latine tamen et
268 multa cum libertate dicebat. Duo praeterea Lentuli consulares, quorum Publius ille nostrarum iniuriarum ultor, auctor salutis, quicquid habuit, quantumcumque fuit, illud totum habuit e disciplina; instrumenta naturae deerant; sed tantus animi splendor et tanta magnitudo, ut sibi omnia, quae clarorum virorum essent, non dubitaret asciscere eaque omni dignitate obtineret. L. autem Lentulus satis erat fortis orator, si modo orator, sed cogitandi non ferebat laborem; vox canora, verba non horrida sane, ut plena esset animi et fervoris oratio; quaereres in iudiciis fortasse melius; in re publica quod
269 erat, esse iudicares satis. Ne T. quidem Postumius contemnendus in dicendo; de re publica vero non minus vehemens orator quam bellator fuit; effrenatus et acer nimis, sed bene iuris publici leges atque instituta cognoverat.'

Hoc loco Atticus, 'Putarem te,' inquit, 'ambitiosum esse, si, ut dixisti, ei quos iam diu conligis viverent; omnis enim commemoras, qui ausi aliquando sunt stantes

conlega: *i.e.* as augur.

268. **ultor**: securing Cicero's recall from banishment; cf. *ad Fam.* I. 1 sq.; *pro Sest.* 69. 144.

instrumenta, *aids*: 331; Quint. XII. 11. 24, *quod instrumentum dicendi M. Tullio defuit?*

269. **iuris**: 214. *Ius* is more abstract than *lex*, and often (as here) sing. where that is plu.; *e.g. de Or.* I. 11. 48, *neque sine legum, moris, iuris scientia;* Hor. *Sat.* I. 1. 9, *agricolam laudat iuris legumque peritus;* Juv. VIII. 50, *qui iuris nodos et legum aenigmata solvat.* Here the former word is inclusive of the other. **Instituta** = 'the established usages.' There was a *ius moribus constitutum*, based on immemorial usage; such usage was law 'only when it had been recognized by a competent authority.'

ambitiosum: cf. 244.

stantes loqui: = 'to stand up

loqui, ut mihi imprudens M. Servilium praeterisse videare.' 'Non,' inquam, 'ego istuc ignoro, Pomponi, 78 270
multos fuisse, qui verbum numquam in publico fecissent, cum melius aliquanto possent quam isti oratores quos conligo dicere; sed his commemorandis etiam illud ad sequor, ut intellegatis primum ex omni numero quam non multi ausi sint dicere, deinde ex eis ipsis quam pauci fuerint laude digni. Itaque ne hos quidem equites 271
Romanos, amicos nostros, qui nuper mortui sunt, *omittam*, P. Cominium Spoletinum, quo accusante defendi C. Cornelium, in quo et compositum dicendi genus et acre et expeditum fuit; T. Accium Pisaurensem, cuius accusationi respondi pro A. Cluentio; qui et adcurate dicebat et satis copiose, eratque praeterea doctus Hermagorae praeceptis, quibus etsi ornamenta non satis opima dicendi, tamen, ut hastae velitibus amentatae, sic apta quaedam et parata singulis causarum generibus argumenta traduntur. Studio autem neminem nec indus- 272
tria maiore cognovi, quamquam ne ingenio quidem qui praestiterit facile dixerim C. Pisoni, genero meo. Nullum tempus illi umquam vacabat aut a forensi dictione aut a commentatione domestica aut a scribendo aut a cogi-

and speak,' in a slip-shod way; cf. Hor. *Sat.* I. 4. 10, *stans pede in uno:* for the participial construction, cf. 310.

imprudens: cf. Hor. *Sat.* I. 10. 88, *doctos ego quos et amicos prudens praetereo.*

78. 270. **cum,** *although.*

271. **accusante**: Asconius speaks of the oration of Cominius as worth attention *propter semet ipsam.*

compositum: *i.e. well* put together; Quint. VII. 10. 17; I. *Pro.* 8.

respondi: B.C. 66 was the date of Cicero's celebrated oration.

opima, *rich:* not *gross,* as in *Or.* 8. 25.

272. **maiore**: the deferred name is put with **praestiterit** in dat.

genero: a good son-in-law; when quæstor, B.C. 58, he did his best to procure Cicero's recall, which he did not live to see; *ad Fam.* XIV. 1. 4; XIV. 2. 2; *pro Sest.* 31. 68, *Piso ille, gener meus, cui fructum pietatis suae neque ex me neque a populo Romano ferre licuit, a propinquo suo socerum suum flagitabat; omnia senatus reiciebat, nisi de me primum consules rettulissent;* the

tando; itaque tantos processus efficiebat, ut evolare, non excurrere videretur, eratque verborum et delectus elegans et apta et quasi rotunda constructio; cumque argumenta excogitabantur ab eo multa et firma ad probandum tum concinnae acutaeque sententiae; gestusque natura ita venustus, ut ars etiam, quae non erat, et e disciplina motus quidam videretur accedere. Vereor ne amore videar plura quam fuerint in illo dicere; quod non ita est. Alia enim de illo maiora dici possunt; nam nec continentia nec pietate nec ullo genere virtutis quem-
79 273 quam eiusdem aetatis cum illo conferendum puto. Nec vero M. Caelium praetereundum arbitror, quaecumque eius in exitu vel fortuna vel mens fuit; qui quamdiu auctoritati meae paruit, talis tribunus plebis fuit ut nemo contra civium perditorum popularem turbulentamque dementiam a senatu et a bonorum causa steterit constantius; quam eius actionem multum tamen et splendida et grandis et eadem in primis faceta et perurbana commendabat oratio. Graves eius contiones aliquot fuerunt, acres accusationes tres eaeque omnes ex rei publicae contentione susceptae: defensiones, etsi illa

propinquus being L. Piso, consul of that year, whom Cicero afterward scathed in the oration *in Pisonem*, as well as in the earlier *de Provinciis Consularibus*.

processus, *progress:* 232.

excurrere: the prep. in these two words = 'forward'; for **evolare,** cf. *de Or.* II. 52. 209, *invident autem homines maxime paribus aut inferioribus, cum se relictos sentiunt, illos autem dolent evolasse.*

rotunda: *Or.* 13. 40; Hor. *A. P.* 323, *Graiis dedit ore rotundo Musa loqui.*

eiusdem aetatis: = *contemporary.*

79. 273. **exitu:** after being compelled to flee from Rome for prætorial maladministration, he went to join Milo in stirring up trouble in southern Italy, and was killed at Thurii.

a: 161. n.

quam: implied in the stanch opposition just mentioned.

tamen: = 'still more,' to complete the account.

perurbana: cf. Quint. X. 1. 115.

contentione: = *zeal for;* cf. *de Off.* I. 25. 87, *ambitio honorumque contentio;* Quint. IV. 5. 12, *in contentione dignitatis.*

defensiones: Quint. VI. 3. 69,

erant in eo meliora, quae dixi, non contemnendae tamen saneque tolerabiles. Hic cum summa voluntate bonorum aedilis curulis factus esset, nescio quo modo discessu meo discessit a sese ceciditque, posteaquam eos imitari coepit quos ipse perverterat.

Sed de M. Calidio dicamus aliquid, qui non fuit orator 274
unus e multis, potius inter multos prope singularis fuit; ita reconditas exquisitasque sententias mollis et pellucens vestiebat oratio. Nihil tam tenerum quam illius comprehensio verborum, nihil tam flexibile, nihil quod magis ipsius arbitrio fingeretur, ut nullius oratoris aeque in potestate fuerit. Quae primum ita pura erat ut nihil liquidius, ita libere fluebat ut nusquam adhaeresceret; nullum nisi loco positum et tamquam in "vermiculato emblemate," ut ait Lucilius, structum verbum videres; nec vero ullum aut durum aut insolens aut humile aut longius ductum: ac non propria verba rerum, sed plera-

M. Caelium, melius obicientem crimina quam defendentem, bonam dextram, malam sinistram habere dicebat [*Cicero*]; (the right hand for the sword, the left for the shield).

discessu: to Cilicia; cf. 1. n.

a sese: *de Div.* II. 55. 114, *a constantia atque a mente atque a se ipse discessit; de Fin.* V. 11. 33; cf. Caes. *B. C.* I. 75, *Petreius vero non deserit sese.* Here the verb was, of course, suggested by the preceding substantive.

274. **unus**: *Tusc.* I. 9. 17, *ut homunculus unus e multis;* cf. 320.

singularis: 293.

vestiebat: the word used in describing the third part of oratory, *elocutio; de Or.* I. 31. 142, *tum ea denique vestire atque ornare oratione.*

tenerum: 38; *de Or.* III. 45. 176; *Or.* 16. 52, *oratio mollis et tenera et ita flexibilis, ut sequatur quocumque torqueas.*

fuerit: sc. **ea** = *comprehensio.*

quae: according to the sense = **oratio.**

liquidius, *more limpid;* sc. **esset**; *de Or.* II. 38. 159.

adhaeresceret, *faltered;* 320.

loco: = *suo loco,* in the right place; *ad Fam.* IX. 16. 4; *de Off.* III. 9. 38; *Tusc.* II. 11. 26.

emblemate: (*tesselated work*); Lucilius in *de Or.* III. 43. 171, *ut tesserulae omnes arte pavimento atque emblemate vermiculato; Or.* 44. 149, and Sandys's note.

structum: cf. 33.

humile: Hor. *A. P.* 229, *ne . . . migret in obscuras humili sermone tabernas;* Quint. XI. 1. 6, *humile atque cotidianum sermonis genus.*

longius ductum, *far-fetched; de Or.* III. 41. 163.

que translata, sic tamen ut ea non inruisse in alienum locum, sed immigrasse in suum diceres; nec vero haec soluta nec diffluentia, sed astricta numeris, non aperte nec eodem modo semper, sed varie dissimulanterque
275 conclusis. Erant autem et verborum et sententiarum illa lumina, quae vocant Graeci σχήματα, quibus tamquam insignibus in ornatu distinguebatur omnis oratio; QUA DE RE AGITUR autem illud, quod multis locis in iuris consultorum includitur formulis, id ubi esset videbat.
80 276 Accedebat ordo rerum plenus artis, actio liberalis totumque dicendi placidum et sanum genus. Quodsi est optimum suaviter dicere, nihil est quod melius hoc quaerendum putes; sed cum a nobis paulo ante dictum sit tria videri esse quae orator efficere deberet, ut doceret, ut delectaret, ut moveret, duo summe tenuit, ut et rem

translata: *Or.* 27. 92, *translata ea dico . . . quae per similitudinem ab alia re aut suavitatis aut inopiae causa transferuntur;* Quint. VIII. 6. 5, *transfertur ergo nomen aut verbum ex eo loco in quo proprium est, in eum, in quo aut proprium deest aut translatum proprio melius est;* IX. 1. 4.

inruisse: cf. *de Or.* III. 41. 165, *verecunda debet esse translatio, ut deducta esse in alienum locum, non inrupisse, atque ut precario, non vi, venisse videatur.*

soluta: *Or.* 70. 233.

astricta: *de Or.* I. 16. 70, *est enim finitimus oratori poeta, numeris astrictior paulo.*

dissimulanter: opposed to **aperte**, in chiasmus.

conclusis: cf. 34; 33, *ad numerum conclusio.*

275. **lumina**: cf. 141; *de Or.* III. 52. 201.

insignibus: *Or.* 39. 134, *reliqua . . . quasi lumina magnum adferunt ornatum orationi; sunt enim similia illis, quae in amplo ornatu scaenae aut fori appellantur insignia, non quod sola ornent, sed quod excellant; de Or.* II. 9. 36; III. 25. 96.

qua de re agitur: a technical term frequently (**multis locis**) employed to mark the gist of an action at law; equivalent to the Greek **κρινόμενον**, as Cicero says *Top.* 25. 95; cf. *Or.* 36. 126; *ad Heren.* I. 16. 26; *pro Mur.* 13. 28; Quint. III. 11. 18. Cf. also *de Or.* II. 30. 132, *quod in iudicium venit.*

80. 276. **liberalis**: *i.e.* befitting a free (*liber* as opposed to *servus*) and high-minded man; a favorite word with Cicero, and bearing a noble meaning in English, as in 'liberal arts,' 'a liberal education,' etc.

placidum: *de Or.* II. 43. 183, *non enim semper fortis oratio quaeritur, sed saepe placida, summissa, lenis.*

ante: 185.

inlustraret disserendo et animos eorum qui audirent
devinciret voluptate; aberat tertia illa laus, qua per-
moveret atque incitaret animos, quam plurimum pollere
diximus, nec erat ulla vis atque contentio: sive consilio,
quod eos, quorum altior oratio actioque esset ardentior,
furere atque bacchari arbitraretur, sive quod natura non
esset ita factus, sive quod non consuesset, sive quod non
posset. Hoc unum illi, si nihil utilitatis habebat, afuit;
si opus erat, defuit. Quin etiam memini, cum in accusa- 277
tione sua Q. Gallio crimini dedisset sibi eum venenum
paravisse, idque a se esse deprehensum seseque chiro
grapha, testificationes, indicia, quaestiones, manifestam
rem deferre diceret, deque eo crimine adcurate et exqui-
site disputavisset, me in respondendo, cum essem argu-
mentatus quantum res ferebat, hoc ipsum etiam posuisse
pro argumento, quod ille, cum pestem capitis sui, cum
indicia mortis se comperisse manifesto et manu tenere
diceret, tam solute egisset, tam leniter, tam oscitanter.
"Tu istuc, M. Calidi, nisi fingeres, sic ageres? praeser- 278
tim cum ista eloquentia alienorum hominum pericula de-

devinciret: for the thought, cf. 200. For the use of this word, cf. 45; 53; 98; 140; 217; 224.

diximus: 198; cf. 322.

furere: 233; *Or.* 28. 99, *si is non praeparatis auribus inflammare rem coepit, furere apud sanos et quasi inter sobrios bacchari vinolentus videtur.*

sive quod non posset: the various specifications introduced by **sive . . . sive**, etc., are (1) deliberate refusal (with the ground of it), (2) want of natural bent, (3) want of habit, (4) sheer inability. The last is very different from the second.

afuit: expresses mere absence, or distance (222); **defuit**: the lack of something which is important.

277. **accusatione**: B.C. 64; the charge was of bribery.

crimini: pred. dat.; R. II. xxxiv. Cf. *Div. in Caecil.* 10. 31 and 33.

quaestiones: *i.e.* examinations by torture; cf. *Part. Orat.* 14. 50; *pro Clu.* 65. 182; 66. 185; Quint. V. 4. 1.

manifestam, *proved.*

exquisite: 283; 321; 322.

oscitanter, *drowsily.*

278. **ageres**: cf. Quint. XI. 3. 155, *an ista, inquit Calidio Cicero, si vera essent, sic a te dicerentur?*

alienorum: *i.e.* with no tie of relationship or friendship; *de Am.* 5. 19: *ad Fam.* III. 6. 3.

fendere acerrime soleas, tuum neglegeres? Ubi dolor? ubi ardor animi, qui etiam ex infantium ingeniis elicere voces et querellas solet? Nulla perturbatio animi, nulla corporis, non frons percussa, non femur; pedis, quod minimum est, nulla supplosio; itaque tantum afuit ut inflammares nostros animos, somnum isto loco vix tenebamus." Sic nos summi oratoris vel sanitate vel vitio
279 pro argumento ad diluendum crimen usi sumus.' Tum Brutus, 'Atque dubitamus,' inquit, 'utrum ista sanitas fuerit an vitium? Quis enim non fateatur, cum ex omnibus oratoris laudibus longe ista sit maxima, inflammare animos audientium et quocumque res postulet modo flectere, qui hac virtute caruerit, id ei, quod maximum fuerit, defuisse?'

81 'Sit sane ita,' inquam; 'sed redeamus ad eum qui iam unus restat, Hortensium; tum de nobismet ipsis, quoniam id etiam, Brute, postulas, pauca dicemus; quamquam facienda mentio est, ut quidem mihi videtur, duorum adulescentium, qui si diutius vixissent, magnam
280 essent eloquentiae laudem consecuti.' 'C. Curionem te,' inquit Brutus, 'et C. Licinium Calvum arbitror dicere.' 'Recte,' inquam, 'arbitraris. Quorum quidem alter ita facile soluteque verbis volvebat satis interdum acutas, crebras quidem certe sententias, ut nihil posset ornatius esse, nihil expeditius. Atque hic parum a magistris institutus naturam habuit admirabilem ad dicendum; in-

frons: Quint. XI. 3. 123, *idque in Calidio Cicero desiderat; non frons, inquit, percussa, non femur: quamquam, si licet, de fronte dissentio.*

tenebamus: *ad Att.* XII. 38. 2, *sed tenendus dolor est;* Hor. *A. P.* 5, *spectatum admissi risum teneatis?* The sentence with *tantum abest ut* is usually consecutive, taking the subjunc.; but sometimes (as here) the consequence is put independently; cf. *de Fin.* V. 20. 57.

sanitate: = '(guarded) propriety'; cf. 51.

279. **postulet**: *de Or.* II. 27. 115.

defuisse: 276.

81. id etiam: 232.

dustriam non sum expertus; studium certe fuit. Qui
si me audire voluisset, ut coeperat, honores quam opes
consequi maluisset.' 'Quidnam est,' inquit, 'istuc? et
quem ad modum distinguis?' 'Hoc modo,' inquam: 281
'cum honos sit praemium virtutis iudicio studioque
civium delatum ad aliquem, qui eum sententiis, qui suf-
fragiis adeptus est, is mihi et honestus et honoratus
videtur; qui autem occasione aliqua, etiam invitis suis
civibus, nactus est imperium, ut ille cupiebat, hunc
nomen honoris adeptum, non honorem puto.' Quae si
ille audire voluisset, maxima cum gratia et gloria ad
summam amplitudinem pervenisset, ascendens gradibus
magistratuum, ut pater eius fecerat, ut reliqui clariores
viri. Quae quidem etiam cum P. Crasso M. f., cum
initio aetatis ad amicitiam se meam contulisset, saepe
egisse me arbitror, cum eum vehementer hortarer ut
eam laudis viam rectissimam esse duceret, quam maiores
eius ei tritam reliquissent. Erat enim cum institutus 282
optime tum etiam perfecte planeque eruditus, ineratque
et ingenium satis acre et orationis non inelegans copia;

280. **expertus**: 231.

si me; cf. *ad Fam.* II., *Epp.* 1–6; *e.g.* II. 5. 2, *ea para, meditare, cogita, quae esse in . . . civi ac viro debent.* Curio, like his father, was a personal friend of Cicero.

281. **sententiis**: *i.e.* expressed opinions.

suffragiis: (*tablets*) = 'balloting,' Doed. *Syn.* Naturally the two words shade off toward each other in usage.

honestus et honoratus: Liv. XXXVI. 40; 205. n.

occasione: *de Off.* I. 40. 142, *tempus autem actionis opportunum Graece εὐκαιρία, Latine appellatur occasio; de Inv.* I. 27. 40.

ille: Curio.

gradibus: *in Cat.* I. 11. 28, *per omnis honorum gradus.*

amicitiam: *ad Fam.* V. 8. 4, *me . . . sicut alterum parentem et observat et diligit;* XIII. 16. 1; *ad Q. Fr.* II. 7. 2.

egisse cum, *urged; agere cum* (*populo*), a phrase used of public addresses, was transferred to private intercourse; *ad Fam.* V. 2. 6 and 8; XIII. 75. 1; *in Cat.* I. 7. 18.

282. **institutus**: *in Verr.* II. 3. 69, 161, *eos instituere atque erudire ad maiorum instituta; erudire* refers more to the ideal side of education, *instituere* to the practical; cf. Doed. *Syn.;* and see 79. n.

praetereaque sine adrogantia gravis esse videbatur et sine segnitia verecundus. Sed hunc quoque absorbuit aestus quidam insolitae adulescentibus gloriae; qui quia navarat miles operam imperatori, imperatorem se statim esse cupiebat, cui muneri mos maiorum aetatem certam, sortem incertam reliquit. Ita gravissimo suo casu, dum Cyri et Alexandri similis esse voluit, qui suum cursum transcurrerant, et L. Crassi et multorum Crassorum inventus est dissimillimus.

82 283 Sed ad Calvum — is enim nobis erat propositus — revertamur. Qui orator cum esset litteris eruditior quam Curio, tum etiam adcuratius quoddam dicendi et exquisitius adferebat genus; quod quamquam scienter eleganterque tractabat, nimium tamen inquirens in se atque ipse sese observans metuensque ne vitiosum conligeret, etiam verum sanguinem deperdebat. Itaque eius oratio nimia religione attenuata doctis et attente audientibus erat inlustris; a multitudine autem et a foro, cui nata eloquentia est, devorabatur.'

navarat: in general the word implies successful effort; *ad Fam.* VI. 1. 7, *navare aliquid et efficere; de Or.* II. 7. 26, *videor navasse operam;* specially, with **operam** and dat., *assistance; ad Fam.* X. 25. 1; XV. 12. 2.

imperatori: Caesar.

aetatem: as a rule, the *imperium* was given only to one who had reached a high office, and eligibility to this office was conditioned on age.

sortem: *i.e.* in drawing a province.

casu: he was killed in the disastrous Parthian war, serving under his father, the triumvir.

82. 283. **Calvum**: for the reason of Cicero's particular account of Calvus, see Introd. VII. 4. Cf. note in W. B. Smith's *Brutus* (London, 1871).

adcuratius: 30; 277.

inquirens in: Tac. *Germ.* 34, *in se simul atque in Herculem inquiri.*

vitiosum: sc. **sanguinem**.

deperdebat: cf. Quint. X. 1. 115.

religione, *scrupulousness;* 284; 293; *Or.* 8. 25, *eorum [Atticorum] religioni cum serviret orator, nullum verbum insolens, nullum odiosum ponere audebat;* 11. 36; cf. 44. n.

attenuata: (too fine drawn), *finical.*

inlustris: cf. 262.

devorabatur: cf. 236; here = 'was swallowed whole,' heard without full appreciation.

Tum Brutus, 'Atticum se,' inquit, 'Calvus noster dici 284
oratorem volebat; inde erat ista exilitas, quam ille de industria consequebatur.' 'Dicebat,' inquam, 'ita, sed et ipse errabat et alios etiam errare cogebat. Nam si quis eos, qui nec inepte dicunt nec odiose nec putide, Attice putat dicere, is recte nisi Atticum probat neminem. Insulsitatem enim et insolentiam tamquam insaniam quandam orationis odit, sanitatem autem et integritatem quasi religionem et verecundiam oratoris probat. Haec omnium debet oratorum eadem esse sententia.
Sin autem ieiunitatem et siccitatem et inopiam, dum- 285
modo sit polita, dum urbana, dum elegans, in Attico genere ponit, hoc recte dumtaxat; sed quia sunt in Atticis alia *aliis* meliora, videat ne ignoret et gradus et dissimilitudines et vim et varietatem Atticorum. "Atticos," inquit, "volo imitari." Quos? nec enim est unum genus: nam quid est tam dissimile quam Demosthenes et Lysias? quam eidem et Hyperides? quam horum omnium Aeschines? Quem igitur imitaris? Si aliquem, ceteri ergo Attice non dicebant; si omnis, qui potes, cum sint ipsi dissimillimi inter se? In quo illud etiam quaero, Phalereus ille Demetrius Atticene dixerit. Mihi quidem ex illius orationibus redolere ipsae Athenae videntur. At est floridior, ut ita dicam, quam Hyperides, quam Lysias:

284. **putide**, *pedantically;* cf. *de Or.* III. 13. 51; *ad Att.* I. 14. 1.

insolentiam, *unwarranted use;* cf. *de Or.* III. 13. 50; Quint. IV. 1. 58; 283. n. Notice the alliteration of these three substantives.

285. **siccitatem**: not as the adj. in 202.

dumtaxat, *so far as it goes;* cf. Lucr. II. 123, and Munro's note.

quid: for this neuter used of persons, cf. *nihil*, 143, 144, 204, 293; *ad Fam.* XII. 4. 1, *populo vero nihil fortius, nihil melius . . . nihil autem foedius Philippo et Pisone legatis, nihil flagitiosius;* XIII. 1. 5. **Dissimile** makes it also in effect a plural word, the construction differing from 204.

dissimillimi: cf. *de Or.* II. 23. 94.

redolere: cf. use with acc. in 82.

floridior: Quint. II. 5. 18; VIII. 3. 74; XII. 10. 58. Bernhardy

88 286 natura quaedam aut voluntas ita dicendi fuit. Et quidem duo fuerunt per idem tempus dissimiles inter se, sed Attici tamen; quorum Charisius multarum orationum, quas scribebat aliis, cum cupere videretur imitari Lysiam; Demochares autem, qui fuit Demostheni sororis filius, et orationes scripsit aliquot et earum rerum historiam, quae erant Athenis ipsius aetate gestae, non tam historico quam oratorio genere perscripsit. At Charisii volt Hegesias esse similis, isque se ita putat
287 Atticum, ut veros illos prae se paene agrestis putet. At quid est tam fractum, tam minutum, tam in ipsa, quam tamen consequitur, concinnitate puerile? "Atticorum similes esse volumus." Optime; suntne igitur hi Attici oratores? "Quis negare potest? hos imitamur." Quo modo, qui sunt et inter se dissimiles et aliorum? "Thucydidem," inquit, "imitamur." Optime, si historiam scribere, non si causas dicere cogitatis. Thucydides enim rerum gestarum pronuntiator sincerus et grandis etiam fuit; hoc forense, concertatorium, iudiciale non tractavit genus. Orationes autem quas inter-

compares the *vestis versicolor* which Demetrius is said to have used; Quint. X. 1. 33.

88. 286. **Charisius**: Quint. X. 1. 70, *nec nihil profecto viderunt, qui orationes, quae Charisii nomini addicuntur, a Menandro scriptas putant.*

multarum orationum: sc. fuit. For the case cf. 246, end; *ad Att.* XIII. 29. 1.

Demochares: *de Or.* II. 23. 95, *alia quaedam dicendi molliora ac remissiora genera viguerunt; inde Demochares, quem aiunt sororis filium fuisse Demostheni;* for dat. here, and in the text, cf. 58. n. The form can be gen., as some editors take it; but **sororis filius** is virtually one idea, — 'who was to Demosthenes sister's-son.'

veros illos: sc. **Atticos**.

287. **fractum**: *Or.* 69. 230, *illo vitio, quod ab Hegesia maxime fluxit, infringendis concidendisque numeris:* 67. 226; Quint. VIII. 3. 57.

minutum: *de Or.* II. 38. 159, *genus sermonis . . . concisum ac minutum,* where Wilkins translates *disjointed;* cf. *diminuere.*

suntne: 39. n.

Thucydides: *Or.* 9. 30, *Thucydides autem res gestas et bella narrat et proelia, graviter sane et probe, sed nihil ab eo transferri potest ad forensem usum et publicum;* 9. 31, *rerum explicator prudens, severus,*

posuit, multae enim sunt, eas ego laudare soleo; imitari neque possim, si velim, nec velim fortasse, si possim. Ut, si quis Falerno vino delectetur, sed eo nec ita novo, ut proximis consulibus natum velit, nec rursus ita vetere, ut Opimium aut Anicium consulem quaerat, — "Atqui hae notae sunt optimae." Credo; sed nimia vetustas nec habet eam quam quaerimus suavitatem, nec est iam sane tolerabilis: num igitur, qui hoc sen- 288
tiat, si is potare velit, de dolio sibi hauriendum putet? Minime; sed quandam sequatur aetatem. Sic ego istis censuerim et novam istam quasi de musto ac lacu fervidam orationem fugiendam nec illam praeclaram Thucydidi nimis veterem tamquam Anicianam notam persequendam. Ipse enim Thucydides si posterius fuisset, multo maturior fuisset et mitior. "Demosthenem 84
igitur imitemur." O di boni! Quid, quaeso, nos aliud agimus aut quid aliud optamus? At non adsequimur. Isti enim videlicet Attici nostri quod volunt adsequuntur. Ne illud quidem intellegunt, non modo ita memoriae 289
proditum esse, sed ita necesse fuisse, cum Demosthenes dicturus esset, ut concursus audiendi causa ex tota Graecia fierent. At cum isti Attici dicunt, non modo a

gravis . . . numquam est numeratus orator.

Falerno: celebrated so often by Horace; Plin. XXIII. 1. 20, *Falernum nec in novitate nec in nimia vetustate corpori salubre est; media eius aetas a* XV *annis incipit.*

proximis consulibus: = 'last year.'

Opimium: consul 121 B.C.; **Anicium**, 160.

consulem: = 'the consulship of;' *i.e.* wine made in one of those years.

notae, *vintage-labels;* Hor. *Od.* II. 3. 8, *nota Falerni; Sat.* I. 10. 24.

288. **de dolio**, *from the jar,* = *the new:* Varr. *R. R.* 1. 65.

istis: cf. **isti**, end of 288.

lacu, *vat;* Quint. II. 4. 9.

fervidam: 108; 241.

praeclaram: opposed to **fervidam**, keeping up the figure.

Thucydidi: 56. n.

84. videlicet: ironical, as often; *e.g. Phil.* II. 6. 15; *in Verr.* II. 1. 42. 107; Sall. *Cat.* 52.

corona, quod est ipsum miserabile, sed etiam ab advocatis relinquuntur. Qua re si anguste et exiliter dicere est Atticorum, sint sane Attici; sed in comitium veniant, ad stantem iudicem dicant; subsellia grandiorem et
290 pleniorem vocem desiderant. Volo hoc oratori contingat, ut cum auditum sit eum esse dicturum, locus in subselliis occupetur, compleatur tribunal, gratiosi scribae sint in dando et cedendo loco, corona multiplex, iudex erectus; cum surgat is qui dicturus sit, significetur a corona silentium, deinde crebrae adsensiones, multae admirationes; risus, cum velit, cum velit, fletus: ut qui haec procul videat, etiamsi quid agatur nesciat, at placere tamen et in scaena esse Roscium intellegat. Haec cui contingant, eum scito Attice dicere, ut de Pericle

289. **corona**: 192.

ipsum: cf. 190. sq.

advocatis, *their legal assistants;* cf. 106. n.; *ad Q. Fr.* II. 3. 1; *de Off.* I. 10. 32, and Holden's note.

comitium: the gathering-place of the people, at the Forum; iudicem refers to their gathering for decisions on matters not relegated to the higher judicial processes. Cf. Pid.

stantem: such an assembly could not be seated, and was restless, and hard to interest and sway.

subsellia: *benches*, for the inferior magistrates and the *iudices*. (The higher magistrates had the *sella curulis*). Here = *courts*. *De Or.* I. 8. 32, *ne semper forum, subsellia, rostra curiamque meditere;* I. 62. 264. Less mercurial than the popular assembly just spoken of, still these courts demanded of the orator **grandiorem et pleniorem vocem**, — a larger and fuller utterance than that of these self-styled **Attici**, who spoke **anguste et exiliter**.

290. **gratiosi**, *obliging*.

scribae: secretaries for official proceedings. To the lower magistrates they were assigned; the higher magistrates appointed their own. They are, of course, to be distinguished from the *scribae* of private life, who were often slaves.

loco: *Nat. D.* II. 33. 83, *locum dare et cedere*.

significetur: = 'be demanded by signs'; *in Verr.* II. 3. 91. 213, *hoc enim mihi significasse et adnuisse visus est; de Or.* I. 26. 122; Cæs. *B. C.* I. 86. The picture in our text is a vivid one, of the eager throng beckoning to each other to hush and listen.

admirationes: 164. n.

fletus: noteworthy is the fine effect of the chiasmus.

placere: often used of actors; here of the orator, in connection with the ensuing comparison.

Roscium: Cicero took lessons of him, and was intimate with him.

audimus, ut de Hyperide, ut de Aeschine, de ipso quidem Demosthene maxime. Sin autem acutum, prudens 291
et idem sincerum et solidum et exsiccatum genus orationis probant, nec illo graviore ornatu oratorio utuntur, et hoc proprium esse Atticorum volunt, recte laudant; est enim in arte tanta tamque varia etiam huic minutae subtilitati locus. Ita fiet, ut non omnes, qui Attice, eidem bene, sed ut omnes, qui bene, eidem etiam Attice dicant. Sed redeamus rursus ad Hortensium.'

'Sane quidem,' inquit Brutus, 'quamquam ista mihi 85 292
tua fuit periucunda a proposita oratione digressio.' Tum Atticus, 'Aliquotiens sum,' inquit, 'conatus, sed interpellare nolui; nunc quoniam ad perorandum spectare videtur sermo tuus, dicam, opinor, quod sentio.' 'Tu vero,' inquam, 'Tite.' Tum ille, 'Ego,' inquit, 'ironiam illam, quam in Socrate dicunt fuisse, qua ille in Platonis et Xenophontis et Aeschinis libris utitur, facetam et elegantem puto. Est enim et minime inepti hominis et eiusdem etiam faceti, cum de sapientia disceptetur, hanc sibi ipsum detrahere, eis tribuere inludentem qui eam

291. **solidum**: Quint. X. 1. 2, *solida atque robusta . . . eloquentia;* cf. *Phil.* V. 18. 50.

exsiccatum, *dry;* cf. the next three lines.

graviore, *more effective; de Or.* II. 56. 227, *nec apud populum gravior oratio . . . neque lepore et festivitate conditior;* which shows that the *oratio* might be *gravis*, yet sparkling.

minutae: cf. 256.

85. 292. **conatus**: sc. loqui; implied in **interpellare**, which = 'to interrupt by speaking.'

opinor: 'parenthetically, implies modesty; whereas *credo* implies irony'; Doed. *Syn.*

ironiam: cf. 299; *de Or.* II. 67. 270; *de Off.* I. 30. 108; *Acad.* II. 5. 15, *Socrates autem de se ipse detrahens in disputatione plus tribuebat iis, quos volebat refellere; ita cum aliud diceret atque sentiret, libenter uti solitus est ea dissimulatione, quam Graeci εἰρωνείαν vocant.* The 'irony' of Socrates was a mask for withholding his own opinion, and obtaining a refutation of his opponents from their own words. Cf. Butler's *Anc. Phil.* I., lect. 7.

Aeschinis: one of the *Socratici*, and, like the others mentioned, a writer of dialogues; but the three which have come down with his name are spurious. Cicero quotes from him; *de Inv.* I. 31. 51.

sibi: cf. the construction *de se* in *Acad.* II. 5. 15, just quoted.

sibi adrogant, ut apud Platonem Socrates in caelum effert laudibus Protagoram, Hippiam, Prodicum, Gorgiam, ceteros, se autem omnium rerum inscium fingit et rudem. Decet hoc nescio quo modo illum; nec Epicuro, qui id reprehendit, adsentior. Sed in historia, qua tu es usus in omni sermone, cum qualis quisque orator fuisset exponeres, vide, quaeso,' inquit, 'ne tam reprehendenda sit ironia quam in testimonio.' 'Quorsus,'
293 inquam, 'istuc? non enim intellego.' 'Quia primum,' inquit, 'ita laudavisti quosdam oratores ut imperitos posses in errorem inducere. Equidem in quibusdam risum vix tenebam cum Attico Lysiae Catonem nostrum comparabas, magnum mehercule hominem vel potius summum et singularem virum,—nemo dicet secus; sed oratorem? sed etiam Lysiae similem? quo nihil potest esse pictius. Bella ironia, si iocaremur; sin adseveramus, vide ne religio nobis tam adhibenda sit quam si
294 testimonium diceremus. Ego enim Catonem tuum ut civem, ut senatorem, ut imperatorem, ut virum denique cum prudentia et diligentia tum omni virtute excellentem, probo; orationes autem eius, ut illis temporibus, valde laudo; significant enim quandam formam ingenii, sed admodum impolitam et plane rudem. Origines vero cum omnibus oratoris laudibus refertas diceres et Catonem cum Philisto et Thucydide comparares, Brutone te id censebas an mihi probaturum? Quos enim ne e

rudem: 294; this profession of ignorance was not merely a satire upon his opponents; it was also a genuine confession of falling short of his own ideal in the search for truth.

293. **imperitos**: 223.

Catonem: 63.

sed: Juv. V. 61, *sed forma, sed aetas;* VIII. 149, *sed luna videt, sed sidera testes intendunt oculos;* cf. *at . . . at*, *ad Att.* IX. 10. 3; Hor. *Sat.* I. 3. 32–3.

quo: Lysias.

pictius, *more ornate;* cf. *Or.* 27. 96.

adseveramus, *are in earnest;* cf. *severus*.

294. **formam**: 327.

Graecis quidem quisquam imitari potest, his tu comparas hominem Tusculanum, nondum suspicantem quale esset copiose et ornate dicere. Galbam laudas: si ut 86 295
illius aetatis principem, adsentior; sic enim accepimus; sin ut oratorem, cedo, quaeso, orationes — sunt enim — et dic hunc, quem tu plus quam te amas, Brutum velle te illo modo dicere. Probas Lepidi orationes: paulum hic tibi adsentior, modo ita laudes ut antiquas; quod item de Africano, de Laelio, cuius tu oratione negas fieri quicquam posse dulcius, addis etiam nescio quid augustius; nomine nos capis summi viri vitaeque elegantissimae verissimis laudibus. Remove haec: ne ista dulcis oratio ita sit abiecta ut eam aspicere nemo velit. Carbonem in summis oratoribus habitum scio; sed cum 296
in ceteris rebus tum in dicendo semper, quo nihil est melius, id laudari, qualecumque est, solet. Dico idem de Gracchis, etsi de eis ea sunt a te dicta, quibus ego adsentior. Omitto ceteros; venio ad eos in quibus iam perfectam putas esse eloquentiam, quos ego audivi, sine controversia magnos oratores, Crassum et Antonium. De horum laudibus tibi prorsus adsentior, sed tamen non isto modo. Ut Polycliti doryphorum sibi Lysippus aiebat, sic tu suasionem legis Serviliae tibi magistram

Tusculanum: and therefore provincial.

86. 295. **laudas**: 82.

principem: cf. 333.

cedo: here with an object; cf. *in Verr.* II. 1. 33. 84; *pro Sest.* 50. 108.

Lepidi: 95.

quod: sc. dico.

item: cf. *e.g.* 83.

elegantissimae: cf. *de Sen.* 5. 13; *pro Sull.* 28. 79.

remove haec: cf. 68; for ne, see 249. n. Jahn and Pid. prefer to supply *vereor*, with the more common *ne*.

296. **Carbonem**: 103 sq.

dicta: 103 sq.; 125 sq.

doryphorum: Polyclitus's celebrated statue of the *spear-bearer*; *Or.* 2. 5, *nec simulacro Iovis Olympii aut doryphori statua deterriti reliqui minus experti sunt quid efficere aut quo progredi possent*; Quint. V. 12. 21.

tu: sc. **aiebas**; with **non** = 'it cannot be that you said.'

magistram: 164.

fuisse: haec germana ironia est. Cur ita sentiam, non
297 dicam, ne me tibi adsentari putes. Omitto igitur quae
de his ipsis, quae de Cotta, quae de Sulpicio, quae modo
de Caelio dixeris; hi enim fuerunt certe oratores; quanti
autem et quales, tu videris. Nam illud minus curo, quod
congessisti operarios omnis; ut mihi videantur mori
voluisse non nulli, ut a te in oratorum numerum referrentur.'

87 Haec cum ille dixisset, 'Longi sermonis initium
pepulisti,' inquam, 'Attice, remque commovisti nova
disputatione dignam, quam in aliud tempus differa-
298 mus. Volvendi enim sunt libri cum aliorum tum in
primis Catonis; intelleges nihil illius liniamentis nisi
eorum pigmentorum, quae inventa nondum erant, florem
et colorem defuisse. Nam de Crassi oratione sic existimo, ipsum fortasse melius potuisse scribere, alium, ut
arbitror, neminem; nec in hoc ironiam dixeris esse,
quod eam orationem mihi magistram fuisse dixerim:
nam etsi tu melius existimare videris de ea, si quam
nunc habemus, facultate, tamen adulescentes quid in
299 Latinis potius imitaremur non habebamus. Quod autem plures a nobis nominati sunt, eo pertinuit, ut paulo
ante dixi, quod intellegi volui, in eo, cuius omnes cupidissimi essent, quam pauci digni nomine evaderent.

germana, *downright; ad Att.* IV. 5. 3, *scio . . . me asinum germanum fuisse.*

297. **modo**: 273.

videris: fut. perf. of postponement or waiver; *de Fin.* I. 10. 35, *quae fuerit causa, mox videro, interea hoc tenebo; Phil.* II. 46. 118, *de te tu videris, ego de me ipse profitebor; de Or.* I. 58. 246; II. 58. 235.

87. **initium pepulisti** = 'have struck the chord'; Ell. and Bernh. Cf. 199.

commovisti, *have started;* cf. *Acad.* II. 6. 18.

298. **volvendi** = *to be perused;* cf. literal meaning of *volume.*

liniamentis: 70.

pigmentorum: *de Or.* II. 45. 188; cf. III. 25. 100; III. 52. 199.

299. **pertinuit**: *ad Att.* VIII. 9. 1.

dixi: 270; that passage shows

Qua re εἴρωνα me, ne si Africanus quidem fuit, ut ait in historia sua C. Fannius, existimari velim.' 'Ut voles,' inquit Atticus; 'ego enim non alienum a te putabam, quod et in Africano fuisset et in Socrate.' Tum Brutus, 'De isto postea; sed tu,' inquit me intu- 300
ens, 'orationes nobis veteres explicabis?' 'Vero,' inquam, 'Brute; sed in Cumano aut in Tusculano aliquando, si modo licebit; quoniam utroque in loco vicini sumus. Sed iam ad id, unde digressi sumus, revertamur.

Hortensius igitur cum admodum adulescens orsus 88 301
esset in foro dicere, celeriter ad maiores causas adhiberi coeptus est; *et* quamquam inciderat in Cottae et Sulpicii aetatem, qui annis decem maiores *erant*, excellente tum Crasso et Antonio, dein Philippo, post Iulio, cum his ipsis dicendi gloria comparabatur. Primum memoria tanta quantam in nullo cognovisse me arbitror, ut quae secum commentatus esset, ea sine scripto verbis eisdem redderet quibus cogitavisset: hoc adiumento ille tanto sic utebatur, ut sua et commentata et scripta et nullo referente omnia adversariorum dicta

that the **omnes** here = all who tried, these being *non multi*.

existimari: negative to be supplied, from the influence of the ne . . . quidem clause: *ad Att.* XIII. 10. 3, *in quem, ne si insidiis quidem ille interfectus esset, caderet ulla suspicio; Or.* 45. 152; *pro Quinc.* 22. 73; *pro Planc.* 20. 49.

Fannius: cf. 101; *de Or.* II. 67. 270.

300. **si modo**: with a tinge of political bitterness.

vicini: both had villas at Cumae and at Tusculum.

digressi: cf. 292.

88. 301. decem: they were born B.C. 124.

memoria: *Acad.* II. 1. 2, *habuit enim divinam quandam memoriam rerum, verborum maiorem Hortensius; de Or.* III. 61. 230; *Tusc.* I. 24. 59; Sen. *Controv.* I., *pr.* 19, *Hortensius . . . a Sisenna provocatus in auctione persedit totum diem et omnes res et pretia et emptores ordine suo argentariis recognoscentibus ita ut in nullo falleretur recensuit;* Quint. XI. 2. 24.

redderet: cf. Quint. X. 6. 4, *quae cogitaverant ad verbum in agendo rettulisse.*

commentata: here pass.; cf. *ad Fam.* XVI. 26. 1.

referente: *i.e.* as a prompter; cf. *in Verr.* II. 4. 3. 5, *recte admones.*

302 meminisset. Ardebat autem cupiditate sic ut in nullo umquam flagrantius studium viderim; nullum enim patiebatur esse diem quin aut in foro diceret aut meditaretur extra forum; saepissime autem eodem die utrumque faciebat. Attuleratque minime volgare genus dicendi; duas quidem res quas nemo alius, — partitiones, quibus de rebus dicturus esset, et conlectiones eorum quae
303 essent dicta contra, quaeque ipse dixisset. Erat in verborum splendore elegans, compositione aptus, facultate copiosus; eaque erat cum summo ingenio tum exercitationibus maximis consecutus. Rem complectebatur memoriter, dividebat acute, nec praetermittebat fere quicquam, quod esset in causa aut ad confirmandum aut ad refellendum. Vox canora et suavis; motus et gestus etiam plus artis habebat quam erat oratori satis.

Hoc igitur florescente Crassus est mortuus, Cotta pulsus, iudicia intermissa bello, nos in forum venimus.
89 304 Erat Hortensius in bello primo anno miles, altero tribunus militum; Sulpicius legatus aberat, etiam M. Antonius. Exercebatur una lege iudicium Varia, ceteris

302. **cupiditate**: sc. **dicendi**; cf. *de Or.* I. 30. 134.

viderim: perf. subjunc. after a secondary tense, not infrequent in a result clause where the action is looked at directly by the speaker, without reference to its dependence on the leading verb; M. 382 (3).

meditaretur, *practised; de Or.* I. 30. 136; I. 61. 260; Quint. X. 3. 30; IV. 2. 29, *cum sit declamatio forensium actionum meditatio.*

partitiones: cf. *pro Quinc.* 10. 35; *div. in Caecil.* 14. 45.

conlectiones, *recapitulations*; Quint. IV. 4. 2.

303. **plus artis**: see Aul. Gell. I. 5.

mortuus: B.C. 91.

pulsus: B.C. 90; 305; *de Or.* III. 3. 11; cf. *de Or.* II. 13. 56, *in exsilium pulsus.*

bello: sc. **Italico** *vel* **Marsico** *vel* **Sociali**; for by these various names was it known.

89. 304. **primo**: B.C. 90.

Varia: this *lex de maiestate* was introduced B.C. 91 by Varius as tribune, 'to punish all those who had assisted or advised the *Socii* to take up arms against the Roman people.' It was in the interest of the *equites*, and against the senators; the *iudicia* being then in the hands of the former.

propter bellum intermissis; cui frequens aderam, quam-
quam pro se ipsi dicebant oratores non illi quidem prin-
cipes, L. Memmius et Q. Pompeius, sed oratores tamen,
teste diserto utique Philippo, cuius in testimonio conten-
tio et vim accusatoris habebat et copiam. Reliqui qui 305
tum principes numerabantur, in magistratibus erant coti-
dieque fere a nobis in contionibus audiebantur. Erat
enim tribunus plebis tum C. Curio, quamquam is quidem
silebat, ut erat semel a contione universa relictus; Q.
Metellus Celer non ille quidem orator, sed tamen non
infans. Diserti autem Q. Varius, C. Carbo, Cn. Pompo-
nius; et hi quidem habitabant in rostris. C. etiam
Iulius aedilis curulis cotidie fere adcuratas contiones
habebat. Sed me cupidissimum audiendi primus dolor
percussit, Cotta cum est expulsus. Reliquos frequenter
audiens acerrimo studio tenebar cotidieque et scribens
et legens et commentans oratoriis tamen exercitationi-
bus contentus non eram. Iam consequente anno Q.
Varius sua lege damnatus excesserat. Ego autem iuris 306
civilis studio multum operae dabam Q. Scaevolae Q. f.,
qui quamquam nemini se ad docendum dabat, tamen
consulentibus respondendo studiosos audiendi docebat.
Atque huic anno proximus Sulla consule et Pompeio

cui: sc. iudicio.
aderam: at the age of 16.
non illi quidem: cf. *non ille quidem*, 305.
teste: *i.e.* against the orators named.
cuius: Philippus.
in testimonio: *i.e.* in giving testimony in court. Cf. a French translation, *Philippe éloquent étant témoin; dont la passion dans les dépositions avait et la force et l'abondance d'un accusateur.*
305. **relictus**: 192.
habitabant: *pro Mur.* 9. 21, *qui in foro habitarint; de Or.* I. 62. 264, *qui habitaret in subselliis;* Petron. 2, *qui in culina habitant.*
expulsus: by the *lex Varia;* 304.
306. **Scaevolae**: cf. *de Am.* 1. 1.
respondendo: cf. *Or.* 42. 143.
proximus: B.C. 88.
consule et: in place of the usual plur.; cf. 328; *pro Arch.* 3. 5.

fuit: tum P. Sulpicii in tribunatu cotidie contionantis totum genus dicendi penitus cognovimus; eodemque tempore, cum princeps Academiae Philo cum Atheniensium optimatibus Mithridatico bello domo profugisset Romamque venisset, totum ei me tradidi admirabili quodam ad philosophiam studio concitatus, in quo hoc etiam commorabar attentius, quod etsi rerum ipsarum varietas et magnitudo summa me delectatione retinebat, tamen sublata iam esse in perpetuum ratio iudiciorum videba-
307 tur. Occiderat Sulpicius illo anno tresque proximo trium aetatum oratores erant crudelissime interfecti, Q. Catulus, M. Antonius, C. Iulius. [Eodem anno etiam Moloni Rhodio Romae dedimus operam et actori summo causarum et magistro.]

90 Haec etsi videntur esse a proposita ratione diversa, tamen idcirco a me proferuntur, ut nostrum cursum perspicere, quoniam voluisti, Brute, possis — nam Attico haec nota sunt — et videre quem ad modum simus in spatio Q. Hortensium ipsius vestigiis persecuti.
308 Triennium fere fuit urbs sine armis, sed oratorum aut interitu aut discessu aut fuga — nam aberant etiam adulescentes M. Crassus et Lentuli duo — primas in causis agebat Hortensius; magis magisque cotidie pro-

fuit: subst. verb with abl. abs., which however is virtually predicative.

commorabar: *de Or.* II. 72. 292, *ibi commorer, ibi habitem, ibi haeream; Or.* 40. 137.

sublata: by the political troubles.

ratio, *procedure;* cf. 304.

307. **occiderat**: *de Or.* III. 3. 11, *ferro erepta vita est.*

proximo: B.C. 87.

trium: Catulus was consul B.C. 102, and Antonius, 99; Julius was a candidate, 88.

interfecti: by Marius and Cinna, B.C. 87.

eodem . . . magistro: see textual notes.

90. spatio, *race-course;* a frequent figure with Cicero; cf. *de Sen.* 23. 83; *de Am.* 12. 40; and *cursus*, 3.

vestigiis: for abl. without *in*, cf. Liv. IX. 45, *pergunt hostem vestigiis sequi;* R. 1177.

308. **triennium**: B.C. 86–84; Sulla was in the East; and when he returned, civil war again raged.

primas: 84. n.

babatur Antistius; Piso saepe dicebat, minus saepe
Pomponius, raro Carbo, semel aut iterum Philippus. At
vero ego hoc tempore omni noctis et dies in omnium
doctrinarum meditatione versabar. Eram cum Stoico 309
Diodoto, qui cum habitavisset apud me mecumque vixis-
set, nuper est domi meae mortuus. A quo cum in aliis
rebus tum studiosissime in dialectica exercebar, quae
quasi contracta et astricta eloquentia putanda est; sine
qua etiam tu, Brute, iudicavisti te illam iustam eloquen-
tiam, quam dialecticam dilatatam esse putant, consequi
non posse. Huic ego doctori et eius artibus variis atque
multis ita eram tamen deditus, ut ab exercitationibus
oratoriis nullus dies vacuus esset. Commentabar de- 310
clamitans — sic enim nunc loquuntur — saepe cum M.
Pisone et cum Q. Pompeio aut cum aliquo cotidie; idque
faciebam multum etiam Latine, sed Graece saepius, vel
quod Graeca oratio plura ornamenta suppeditans con-
suetudinem similiter Latine dicendi adferebat, vel quod a
Graecis summis doctoribus, nisi Graece dicerem, neque
corrigi possem neque doceri. Tumultus interim *in* reci- 311

noctis et dies: less usual than the reverse order: for *noctis* first, cf. *in Verr.* II. 5. 43. 112; *pro Arch.* 11. 29; Verg. *Aen.* VI. 127.

309. **vixisset**: *ad Att.* XIV. 20. 4, [*Hirtius*] *vivit habitatque cum Balbo. Habitare* = 'to have an abode,' *vivere* = 'to *live*'; cf. the word *convivium;* the motto *dum vivimus vivamus;* Horace's *Vixi, Od.* III. 29. 43, and Martial's *vive hodie*, I. 15. 12.

dilatatam: 322; cf. *Or.* 32. 113, *Zeno . . . cum compresserat digitos pugnumque fecerat, dialecticam aiebat eius modi esse, cum autem diduxerat et manum dilataverat, palmae illius similem eloquentiam esse dicebat;* Quint. II. 20. 7.

variis: Diodotus was accomplished in mathematics and music as well as in philosophy; *Tusc.* V. 39. 113.

ita . . . ut: = 'with this limitation, that.'

310. **declamitans**: *ad Fam.* XVI. 21. 5, *declamitare Graece apud Cassium institui; Tusc.* I. 4. 7; Quint. XII. 11. 15.

aliquo: = 'some one or other.'

Graece: cf. *de Off.* I. 1. 1; *de Or.* I. 34. 155; Suet. *de Rhet.* 1–2, *Cicero ad praeturam usque Graece declamavit, Latine vero senior quoque.*

similiter: sc. *ornate* (cf. *ornamenta*).

possem: unlike **adferebat** in

peranda re publica et crudelis interitus oratorum trium, Scaevolae, Carbonis, Antistii; reditus Cottae, Curionis, Crassi, Lentulorum, Pompeii; leges et iudicia constituta; reciperata res publica; ex numero autem oratorum Pomponius, Censorinus, Murena sublati. Tum primum nos ad causas et privatas et publicas adire coepimus, non ut in foro disceremus, quod plerique fecerunt, sed ut, quantum nos efficere potuissemus,
312 docti in forum veniremus. Eodem tempore Moloni dedimus operam; dictatore enim Sulla legatus ad senatum de Rhodiorum praemiis venerat. Itaque prima causa publica pro Sex. Roscio dicta tantum commendationis habuit, ut non ulla esset quae non digna nostro patrocinio videretur. Deinceps inde multae, quas nos diligenter elaboratas et tamquam elucubratas adferebamus.
91 313 Nunc quoniam totum me non naevo aliquo aut crepundiis, sed corpore omni videris velle cognoscere, complectar non nulla etiam quae fortasse videantur minus necessaria. Erat eo tempore in nobis summa gracilitas et infirmitas corporis, procerum et tenue collum; qui

mood, from the introduced condition.

311. **interitus**: B.C. 82; these three were put to death by Damasippus, by order of the younger Marius.

Scaevolae: the pontifex maximus.

Cottae: cf. 303; 305.

reciperata: cf. *Phil.* XIV. 13. 35.

sublati: Pomponius, B.C. 82; the other two, 81.

tum: the first extant oration of Cicero (*pro Quinctio*) was delivered B.C. 81.

312. **Moloni**: whose instruction he enjoyed again, at Rhodes; 316. Cæsar, too, was a pupil of Molo.

praemiis: in recompense for loyalty and suffering in the Mithridatic war.

publica: B.C. 80; the *pro Quinctio* was in a *causa privata*.

digna: = *suited to*: the sentence may be taken as an inversion, = 'my pleading was worthy of any cause.'

elucubratas: Tac. *Dial.* 9, *magna noctium parte unum librum excudit et elucubravit;* for dep. use, cf. *ad Att.* VII. 19.

91. 313. **naevo**: the birth-mark as a natural, the *crepundia* as an accidental means of identifying lost children, were familiar to Roman comedy; *e.g.* Plaut. *Rud.* 1081; 1363; *Mil. Glor.* 1399. The word for such recognition is *agnoscere*,

habitus et quae figura non procul abesse putatur a vitae periculo, si accedit labor et laterum magna contentio; eoque magis hoc eos, quibus eram carus, commovebat, quod omnia sine remissione, sine varietate, vi summa vocis et totius corporis contentione dicebam. Itaque 314
cum me et amici et medici hortarentur ut causas agere desisterem, quodvis potius periculum mihi adeundum quam a sperata dicendi gloria discedendum putavi. Sed cum censerem remissione et moderatione vocis et commutato genere dicendi me et periculum vitare posse et temperatius dicere, ut consuetudinem dicendi mutarem, ea causa mihi in Asiam proficiscendi fuit. Itaque cum essem biennium versatus in causis et iam in foro celebratum meum nomen esset, Roma sum profectus. Cum 315
venissem Athenas, sex mensis cum Antiocho veteris Academiae nobilissimo et prudentissimo philosopho fui, studiumque philosophiae, numquam intermissum a primaque adulescentia cultum et semper auctum, hoc rursus summo auctore et doctore renovavi. Eodem tamen tempore Athenis apud Demetrium Syrum veterem et non ignobilem dicendi magistrum studiose exerceri solebam. Post a me Asia tota peragrata est, *fuique* cum summis quidem oratoribus, quibuscum exercebar ipsis libentibus; quorum erat princeps Menippus Stratonicensis meo iudicio tota Asia illis temporibus disertissimus; et,

changed here, to suit the context, to **cognoscere**.

remissione: 314; *de Or.* I. 61. 261, *contentiones vocis et remissiones;* Quint. I. 10. 25.

314. **medici**: a profession that came late to honor at Rome.

censerem: expressing a judgment to be carried into effect, and so different from **putavi**, which is subjective.

temperatius: = 'with a juster restraint'; cf. *de Or.* II. 53. 212, *neque est ulla temperatior oratio; Or.* 27. 95; 28. 98; *de Off.* I. 1. 3, *aequabile et temperatum orationis genus.*

profectus: B.C. 79.

315. **fuique**: see textual notes.

tota: where *totus* is used, the prep. is commonly omitted with the abl. expressing the place where. In

si nihil habere molestiarum nec ineptiarum Atticorum
316 est, hic orator in illis numerari recte potest. Adsiduissime autem mecum fuit Dionysius Magnes; erat etiam Aeschylus Cnidius, Adramyttenus Xenocles; hi tum in Asia rhetorum principes numerabantur. Quibus non contentus Rhodum veni meque ad eundem, quem Romae audiveram, Molonem applicavi, cum actorem in veris causis scriptoremque praestantem tum in notandis animadvertendisque vitiis et instituendo docendoque prudentissimum. Is dedit operam, si modo id consequi potuit, ut nimis redundantis nos et superfluentis iuvenili quadam dicendi impunitate et licentia reprimeret et quasi extra ripas diffluentis coerceret. Ita recepi me biennio post non modo exercitatior, sed prope mutatus; nam et contentio nimia vocis resederat et quasi deferverat oratio lateribusque vires et corpori mediocris habitus accesserat.

92 317 Duo tum excellebant oratores, qui me imitandi cupiditate incitarent, Cotta et Hortensius; quorum alter remissus et lenis et propriis verbis comprehendens solute

this clause are three different abl. constructions.

molestiarum: 116.

316. **Romae**: cf. 312.

ad . . . applicavi: of studies and pursuits, as well as of persons; *e.g.* *de Off.* I. 32. 115; *de Or.* II. 13. 55.

redundantis: *i.e.* pouring over in waves; 51. It is stronger than *abundare;* cf. the annexed **superfluentis**. **diffluentis** presents the picture of a stream overflowing both banks, and running in different directions; cf. *de Am.* 15. 52; *de Off.* I. 30. 106; *de Or.* III. 32. 131.

iuvenili: the charge of 'redundance' attached to Cicero's maturity, also; see Introd. VII. 3.

impunitate: cf. Tac. *Ann.* III. 60. Impunity would be granted only to youth.

biennio post: B.C. 77.

exercitatior: *de Off.* II. 15. 53, *paratiores erunt et tamquam exercitatiores ad bene de multis promerendum;* cf. 14. n.

deferverat: for *de* neg. cf. *dediscere* (51), *de-florescere* (317), *de-sperare*, *de-tonare*, etc. This is a favorite word with Cicero; *e.g.* *pro Clu.* 39. 108; *Or.* 30. 107; *pro Cael.* 18. 43; *Tusc.* IV. 36. 78.

mediocris habitus: the French rendering is *un embonpoint raisonnable;* cf. the Eng. expression, a man of full 'habit.'

92. 317. **comprehendens**: 34.

et facile sententiam, alter ornatus, acer, et non talis qualem tu eum, Brute, iam deflorescentem cognovisti, sed verborum et actionis genere commotior. Itaque cum Hortensio mihi magis arbitrabar rem esse, quod et dicendi ardore eram propior et aetate coniunctior. Etenim videram in eisdem causis, ut pro M. Canuleio, pro Cn. Dolabella consulari, cum Cotta princeps adhibitus esset, priores tamen agere partis Hortensium; acrem enim oratorem, incensum et agentem et canorum concursus hominum forique strepitus desiderat. Unum 318
igitur annum, cum redissemus ex Asia, causas nobilis egimus, cum quaesturam nos, consulatum Cotta, aedilitatem peteret Hortensius. Interim me quaestorem Siciliensis excepit annus, Cotta ex consulatu est profectus in Galliam, princeps et erat et habebatur Hortensius. Cum autem anno post ex Sicilia me recepissem, iam videbatur illud in me, quidquid esset, esse perfectum et habere maturitatem quandam suam. Nimis multa videor de me, ipse praesertim; sed omni huic sermoni propositum est, non ut ingenium et eloquentiam meam perspicias, unde longe absum, sed ut laborem et industriam. Cum igitur essem in plurimis causis 319

deflorescentem: cf. *pro Cael.* 19. 44; Liv. XXXVIII. 53.

rem esse: *i.e.* as a rival; cf. *pro Sest.* 16. 37, *erat autem res ei cum exercitu C. Marii invicto . . . res erat cum L. Saturnino; pro Rosc. Am.* 30. 84; *ad Fam.* IX. 20. 2; Verg. *Aen.* IX. 154.

ut: B.C. 77 was the date of both these trials.

agentem, *full of action.*

318. **annum**: B.C. 76.

nobilis, *noteworthy.*

interim: between these *causae nobiles* and the resumption of his profession on his return from Sicily.

annus: B.C. 75; his province was determined by lot. For the spirit in which he administered his office, cf. *in Verr.* II. 5. 14. 35.

ex consulatu: immediately after his year as consul. There is a slight anachronism in putting this with Cicero's 'Sicilian year'; but the consulship also would withdraw him from the active competition here spoken of.

videor: sc. loqui.

ipse praesertim: = 'especially as I am leading the discourse.'

et in principibus patronis quinquennium fere versatus, tum in patrocinio Siciliensi maxime in certamen veni designatus aedilis cum designato consule Hortensio.

98 Sed quoniam omnis hic sermo noster non solum enumerationem oratorum, verum etiam praecepta quaedam desiderat, quid tamquam notandum et animadvertendum

320 sit in Hortensio breviter licet dicere. Nam is post consulatum — credo quod videret ex consularibus neminem esse secum comparandum, neglegeret autem eos qui consules non fuissent — summum illud suum studium remisit, quo a puero fuerat incensus, atque in omnium rerum abundantia voluit beatius, ut ipse putabat, remissius certe vivere. Primus et secundus annus et tertius tantum quasi de picturae veteris colore detraxerat, quantum non quivis unus ex populo, sed existimator doctus et intellegens posset cognoscere; longius autem procedens ut in ceteris eloquentiae partibus, tum maxime in celeritate et continuatione verborum adhaerescens, sui

321 dissimilior videbatur fieri cotidie. Nos autem non desistebamus cum omni genere exercitationis tum maxime stilo nostrum illud, quod erat, augere, quantumcumque

319. **Siciliensi**: B.C. 70. Cicero's excellent record in Sicily as quæstor, as well as his ripening fame, led the Sicilians to employ him in their impeachment of Verres. Hortensius was retained for the defence, and the trial is one of the most memorable in Roman history. Cicero's success was speedy and overwhelming.

98. notandum et: 316.

320. **post**: *i.e.* after B.C. 69.

videret: subjunc. of the reason as it lay in Cicero's mind, accounting for the course of Hortensius; **neglegeret** naturally follows in the same mood.

remissius: cf. **remisit** above.

picturae: *Tusc.* V. 39. 114, *traditum est etiam Homerum caecum fuisse; at eius picturam, non poesin, videmus.*

quivis unus: *ad Heren.* II. 8. 12.

doctus et: 183. n.

tum: an unusual correlative of **ut**.

continuatione: *de Or.* III. 43. 171, *sequitur continuatio verborum, quae duas res maxime, conlocationem primum, deinde modum quendam formamque desiderat; de Or.* I. 61. 261; III. 13. 49; *Or.* 25. 85.

adhaerescens: 274.

321. **stilo**: 92. n.

erat; atque, ut multa omittam, in hoc spatio [et in his post aedilitatem annis] et praetor primus et incredibili populi voluntate sum factus. Nam cum propter adsiduitatem in causis et industriam tum propter exquisitius et minime volgare orationis genus animos hominum ad me dicendi novitate converteram. Nihil de me dicam: 322
dicam de ceteris, quorum nemo erat qui videretur exquisitius quam volgus hominum studuisse litteris, quibus fons perfectae eloquentiae continetur; nemo qui philosophiam complexus esset, matrem omnium bene factorum beneque dictorum; nemo qui ius civile didicisset, rem ad privatas causas et ad oratoris prudentiam maxime necessariam; nemo qui memoriam rerum Romanarum teneret, ex qua, si quando opus esset, ab inferis locupletissimos testis excitaret; nemo qui breviter arguteque incluso adversario laxaret iudicum animos atque a severitate paulisper ad hilaritatem risumque traduceret; nemo qui dilatare posset atque a propria ac definita disputatione hominis ac temporis ad com-

spatio: cf. 307; see textual notes.

primus: *i.e.* first in the poll for that year; cf. *in Pis.* 1. 2; *pro leg. Man.* 1. 2.

322. **nihil de me**: but inferentially how much!

volgus: for a limiting gen., cf. 332; *Tusc.* II. 26. 63; Tac. *H.* II. 70; Ter. *And.* 583; *Hec.* 600.

philosophiam: *Or.* 4. 14, *positum sit igitur in primis . . . sine philosophia non posse effici, quem quaerimus, eloquentem*; cf. *Or.* 4. 15; *de Or.* I. 15. 68; Quint. X. 1. 35, *a philosophorum vero lectione ut essent multa nobis petenda, vitio factum est oratorum, qui quidem illis optima sui operis parte cesserunt*; XII. 2. 8.

prudentiam: 102. n.

memoriam: *de Or.* I. 34. 158, *cognoscendae historiae*; I. 60. 256; II. 15. 62; Quint. X. 1. 31.

inferis: *Top.* 10. 45, *in hoc genere oratoribus et philosophis concessum est, ut muta etiam loquantur, mortui ab inferis excitentur*; *Or.* 25. 85; Quint. IX. 2. 31.

locupletissimos: *de Off.* III. 2. 10, *accedit eodem testis locuples, Posidonius*; = 'full-laden, richly furnished.'

incluso: cf. 178, *in capiendo adversario.*

severitate: 197.

definita: cf. *de Or.* I. 31. 138; II. 31. 133; *Top.* 21. 79; *Or.* 14. 45.

gratia: less common in Cicero than *causa*; perhaps used here because of the following **a causa.**

munem quaestionem universi generis orationem traducere; nemo qui delectandi gratia digredi parumper a causa, nemo qui ad iracundiam magno opere iudicem, nemo qui ad fletum posset adducere; nemo qui animum eius, quod unum est oratoris maxime proprium, quo-
94 323 cumque res postularet, impellere. Itaque, cum iam paene evanuisset Hortensius et ego anno meo, sexto autem post illum consulem consul factus essem, revocare se ad industriam coepit, ne, cum pares honore essemus, aliqua re superiores videremur. Sic duodecim post meum consulatum annos in maximis causis, cum ego mihi illum, sibi me ille anteferret, coniunctissime versati sumus, consulatusque meus, qui illum primo leviter perstrinxerat, idem nos rerum mearum gestarum, quas ille
324 admirabatur, laude coniunxerat. Maxime vero perspecta est utriusque nostrum exercitatio paulo ante quam perterritum armis hoc studium, Brute, nostrum conticuit subito et obmutuit; cum lege Pompeia ternis horis ad dicendum datis ad causas simillimas inter se vel potius easdem novi veniebamus cotidie. Quibus quidem causis tu etiam, Brute, praesto fuisti complurisque et nobiscum et solus egisti; ut qui non satis diu vixerit Hortensius,

But Cicero varies to avoid monotony: *e.g. ad Att.* XIV. 19. 3; *de Fin.* I. 10. 36.

proprium: cf. 198; 276; 279.

94. 323. **evanuisset**: 106.

anno meo: cf. *de Off.* II. 17. 59, *nostro quidem anno.* It was Cicero's especial boast that he reached all the high offices at the earliest legal age; the quaestorship at 30, the aedileship at 37, the praetorship at 40, the consulship at 43.

duodecim: down to B.C. 50, when Hortensius died.

perstrinxerat, *had hurt;* **leviter** (unemphatic) = *a little.* It was natural that Hortensius should have a touch of jealousy, seeing this younger rival, a *novus homo*, so rapidly overtaking him in the course of public honors.

gestarum: especially in dealing with the conspiracy of Catiline.

324. **obmutuit**: 22; *in Pis.* 12. 26, *cum obmutuisset senatus, iudicia conticuissent.*

Pompeia: see 243. n.

novi: = 'with unimpaired freshness,' as if the cases were new.

ut: result clause.

tamen hunc cursum confecerit: annis ante decem causas
agere coepit quam tu es natus; idem quarto et sexage-
simo anno, perpaucis ante mortem diebus, una tecum
socerum tuum defendit Appium. Dicendi autem genus
quod fuerit in utroque, orationes utriusque etiam poste-
ris nostris indicabunt.

Sed si quaerimus, cur adulescens magis floruerit di- **95** 325
cendo quam senior Hortensius, causas reperiemus veris-
simas duas. Primum, quod genus erat orationis Asia-
ticum adulescentiae magis concessum quam senectuti.
Genera autem Asiaticae dictionis duo sunt: unum sen-
tentiosum et argutum, sententiis non tam gravibus et
severis quam concinnis et venustis, qualis in historia
Timaeus, in dicendo autem pueris nobis Hierocles Ala-
bandeus, magis etiam Menecles frater eius fuit, quorum
utriusque orationes sunt in primis, ut Asiatico in genere,
laudabiles; aliud autem genus est non tam sententiis
frequentatum quam verbis volucre atque incitatum, quali
est nunc Asia tota, nec flumine solum orationis, sed
etiam exornato et faceto genere verborum, in quo fuit
Aeschylus Cnidius et meus aequalis Milesius Aeschi-
nes. In his erat admirabilis orationis cursus, ornata sen-
tentiarum concinnitas non erat. Haec autem, ut dixi, 326
genera dicendi aptiora sunt adulescentibus, in senibus

hunc: = 'as follows.'

Appium: 230. n.

utriusque: it is a pity that *we* cannot compare the two orators. A strange fatality has befallen all Roman oratory except Cicero's.

95. 325. **primum**: there is no formal 'secondly'; but it is virtually found in the clause (327) **quodque . . . dimiserat.**

concinnis, *neat:* 327.

flumine: *de Or.* II. 15. 62; *Nat. D.* II. 7. 20; *Acad.* II. 38. 119.

faceto: *de Or.* I. 8. 32, *sermo facetus ac nulla in re rudis;* Hor. *Sat.* I. 10. 44, *molle atque facetum Vergilio annuerunt . . . Camenae;* Quint. VI. 3. 20, *facetum quoque non tantum circa ridicula opinor consistere; neque enim diceret Horatius, facetum carminis genus natura concessum esse Vergilio: deco-*

gravitatem non habent. Itaque Hortensius utroque genere florens clamores faciebat adulescens; habebat enim et Meneclium illud studium crebrarum venustarumque sententiarum, in quibus, ut in illo Graeco, sic in hoc, erant quaedam magis venustae dulcesque sententiae quam aut necessariae aut interdum utiles; et erat oratio cum incitata et vibrans tum etiam adcurata et polita. Non probabantur haec senibus; saepe videbam cum inridentem tum etiam irascentem et stomachantem Philippum; sed mirabantur adulescentes, multitudo moveba-
327 tur. Erat excellens iudicio volgi et facile primas tenebat adulescens. Etsi enim genus illud dicendi auctoritatis habebat parum, tamen aptum esse aetati videbatur; et certe, quod et ingenii quaedam forma lucebat et exercitatione perfecta erat verborumque astricta comprehensio, summam hominum admirationem excitabat. Sed cum iam honores et illa senior auctoritas gravius quiddam requireret, remanebat idem nec decebat idem; quodque exercitationem studiumque remiserat, quod in eo fuerat acerrimum, concinnitas illa crebritasque sententiarum pristina manebat, sed ea vestitu illo orationis, quo consuerat, ornata non erat. Hoc tibi ille, Brute, minus fortasse placuit quam placuisset, si illum flagrantem studio et florentem facultate audire potuisses.'

ris hanc magis et excultae cuiusdam elegantiae appellationem puto.

326. **Meneclium**: cf. 325.

vibrans: the eager, quivering motion of a hurled weapon (our *vibrant* is less strong); Quint. XII. 9. 3, *nec illis vibrantibus concitatisque sententiis velut missilibus utetur*; X. 1. 60; XI. 3. 120; *Or.* 70. 234.

stomachantem: *ad Att.* XIV. 21. 3, *amariorem enim me senectus facit; stomachor omnia*; *Nat. D.* I. 33. 93; cf. 246.

327. **adulescens**: see textual notes.

perfecta: with **forma**, as *impolita* and *rudis* in 294.

verborumque: sc. **erat**.

senior: 160.

vestitu: 274. n.

facultate: 303.

Tum Brutus: 'Ego vero,' inquit, 'et ista, quae dicis, 96 328
video qualia sint et Hortensium magnum oratorem sem-
per putavi maximeque probavi pro Messala dicentem,
cum tu afuisti.' 'Sic ferunt,' inquam, 'idque declarat
totidem quot dixit, ut aiunt, scripta verbis oratio. Ergo
ille a Crasso consule et Scaevola usque ad Paullum et
Marcellum consules floruit, nos in eodem cursu fuimus
a Sulla dictatore ad eosdem fere consules. Sic Q. Hor- 329
tensii vox exstincta fato suo est, nostra publico.' 'Me-
lius, quaeso, ominare,' inquit Brutus. 'Sit sane ut vis,'
inquam, 'et id non tam mea causa quam tua; sed fortu-
natus illius exitus, qui ea non vidit cum fierent, quae
providit futura! Saepe enim inter nos impendentis
casus deflevimus, cum belli civilis causas in privatorum
cupiditatibus inclusas, pacis spem a publico consilio esse
exclusam videremus. Sed illum videtur felicitas ipsius,
qua semper est usus, ab eis miseriis quae consecutae
sunt, morte vindicavisse.

Nos autem, Brute, quoniam post Hortensii clarissimi 330
oratoris mortem orbae eloquentiae quasi tutores relicti

96. 328. **Messala**: whose mother was Hortensia, sister of the orator. He was accused *de ambitu*, B.C. 51 (having been consul 53), was defended by Hortensius, and was acquitted; but the people, the day after, hissed Hortensius as he entered the theatre; *ad Fam.* VIII. 2. 1, *hoc magis animadversum est, quod intactus ab sibilo pervenerat Hortensius ad senectutem, sed tum tam bene, ut in totam vitam cuivis satis esset et paeniteret eum iam vicisse.*

afuisti: in Cilicia; 1.

totidem: = 'unabridged and unchanged'; cf. our use of *totidem verbis.*

Crasso: B.C. 95; **Paullum**, B.C. 50.

Sulla: B.C. 81.

ad eosdem: Cicero, after his absence, was again partially in **eodem cursu**, speaking for Marcellus, Ligarius, and Deiotarus. Later than this writing came the closing efforts of his oratory, the Philippics.

329. **ominare**: cf. Hor. *Od.* III. 14. 11, *male ominatis parcite verbis.*

inclusas: *i.e.* shut up as in a seed-plot.

exclusam: contrasted with inclusas.

felicitas: 4.

vindicavisse, *to have protected;* cf. *ad Q. Fr.* I. 4. 2.

330. **tutores**: *de Rep.* II. 29. 52, *quasi tutor et procurator rei publicae.*

sumus, domi teneamus eam saeptam liberali custodia, et hos ignotos atque impudentis procos repudiemus, tueamurque ut adultam virginem caste et ab amatorum impetu quantum possumus prohibeamus. Equidem etsi doleo me in vitam paulo serius tamquam in viam ingressum, priusquam confectum iter sit, in hanc rei publicae noctem incidisse, tamen ea consolatione sustentor, quam tu mihi, Brute, adhibuisti tuis suavissimis litteris, quibus me forti animo esse oportere censebas, quod ea gessissem, quae de me etiam me tacente ipsa loquerentur mortuoque viverent; quae, si recte esset, salute rei publicae, sin secus, interitu ipso testimonium meorum de re publica consiliorum darent.

97 Sed in te intuens, Brute, doleo, cuius in adule-
331 scentiam per medias laudes quasi quadrigis vehentem

saeptam: according to the custom of the ancients. For the greater freedom of Roman as compared with Grecian women, cf. Becker's *Gallus*, Sc. I, Exc. I; but marriage was the door to much of this freedom.

liberali: cf. Liv. XXIV. 45, *libera custodia;* Sall. *Cat.* 47, *in liberis custodiis;* this was 'private custody' (in one's house) accorded to persons of importance. But our '*virgo*' is regarded, not as a prisoner, but as a ward.

procos: Pid. compares the suitors of Penelope. The Dictator's minions are in Cicero's mind.

repudiemus: cf. *repudium*, a word of wedlock-sundering and betrothal-breaking; here anticipatory even of betrothal. Of course the metaphor 'faded.' Cf. *Or.* 3. 13, *eloquentia haec forensis spreta a philosophis et repudiata.*

adultam: cf. Tac. *Dial.* 25, *cum fatear quaedam eloquentiae eorum, ut nascenti adhuc, nec satis adultae, defuisse.*

virginem: cf. *Or.* 19. 64, *oratio philosophorum . . . casta, verecunda, virgo incorrupta quodam modo.*

impetu, *vehemence.*

in vitam: often without *in; e.g.* *Acad.* II. 36. 114; *de Off.* III. 2. 6; **vitam** and **viam** are in alliteration. For the thought, cf. *de Off.* I. 32. 118, *viam vivendi sit ingressurus.*

noctem: cf. *pro Rosc. Am.* 32. 91.

litteris: 11.

si recte esset: = 'if things should go well'; for adv. with *esse*, cf. *ad Att.* I. 7, *apud matrem recte est;* XIV. 16. 4; Hor. *Sat.* II. 3. 162.

97. 331. **per**: cf. Juv. I. 72, *per famam et populum nigros efferre maritos.*

vehentem: very rare as an intrans.; nowhere else in Cicero; Gell. II. 2. 13; V. 6. 27; Suet. *Claud.* 28; cf. Liv. XXII. 49, *prae-*

transversa incurrit misera fortuna rei publicae. Hic me dolor tangit, haec cura sollicitat et hunc mecum socium eiusdem et amoris et iudicii. Tibi favemus, te tua frui virtute cupimus, tibi optamus eam rem publicam, in qua duorum generum amplissimorum renovare memoriam atque augere possis. Tuum enim forum, tuum erat illud curriculum, tu illuc veneras unus, qui non linguam modo acuisses exercitatione dicendi, sed et ipsam eloquentiam locupletavisses graviorum artium instrumento et eisdem artibus decus omne virtutis cum summa eloquentiae laude iunxisses. Ex te duplex nos adficit sollicitudo, 332
quod et ipse re publica careas et illa te. Tu tamen, etsi cursum ingenii tui, Brute, premit haec importuna clades civitatis, contine te in tuis perennibus studiis et effice id quod iam propemodum vel plane potius effeceras, ut te eripias ex ea, quam ego congessi in hunc sermonem, turba patronorum. Nec enim decet te ornatum uberrimis artibus, quas cum domo haurire non posses, arcessivisti ex urbe ea quae domus est semper habita doctrinae, numerari in volgo patronorum. Nam quid te

tervehens equo; also *trahere*, Lucr. I. 397; VI. 1190; *volvens*, Lucr. V. 931.

transversa, *athwart.*

dolor: = 'present pain'; **cura**, 'concern for the future,' Doed. *Syn.*

tangit: cf. Verg. *Aen.* I. 462; Hor. *A. P.* 98.

hunc: *i.e.* Atticus.

duorum: Brutus was a Junius, his mother a Servilia.

generum, *stocks; genus* here includes the specific *gens;* cf. 62; 212.

acuisses: Hor. *Ep.* I. 3. 23, *seu linguam causis acuis.*

instrumento, *equipment;* 268.

332. **ex te**: **ex** denoting source; cf. *ad Fam.* XVI. 21. 3.

congessi in: cf. Quint. IX. 1. 25; IV. 3. 3; IX. 3. 39; X. 5. 23.

domo: cf. *Phil.* II. 11. 26, *ab alienis potius consilium peterent quam a suis, et foris potius quam domo?* **Haurire** almost never takes abl. without prep.; cf. *ad Fam.* VI. 6. 9, where however B. and K. insert prep.; but here, as in the cases cited 72. n., the loc. seems to be warped into an abl. The *editio princeps* has **domi**; but the locative idea is not predominant.

urbe: Athens; cf. *de Or.* I. 4. 13.

volgo: cf. **turba** above; for gen. cf. 322.

quid: cf. *quorsus*, 292.

exercuit Pammenes, vir longe eloquentissimus Graeciae? quid illa vetus Academia atque eius heres Aristus, hospes et familiaris meus, si quidem similes maioris partis
333 oratorum futuri sumus? Nonne cernimus vix singulis aetatibus binos oratores laudabilis constitisse? Galba fuit inter tot aequalis unus excellens, cui, quem ad modum accepimus, et Cato cedebat senior et qui temporibus illis aetate inferiores fuerunt; Lepidus postea, deinde Carbo; nam Gracchi in contionibus multo faciliore et liberiore genere dicendi, quorum tamen ipsorum ad aetatem laus eloquentiae perfecta nondum fuit; Antonius, Crassus, post Cotta, Sulpicius, Hortensius; nihil dico amplius. Tantum dico: si mihi accidisset, ut numerarer in multis . . . si operosa est concursatio magis opportunorum. . . .

Aristus: *Acad.* I. 3. 12, *Aristum Athenis audivit* [*Brutus*]; *de Fin.* V. 3. 8.

hospes: cf. *Tusc.* V. 8. 22.

sumus: including himself to relieve the sharpness of the application, though he considered his own career as nearly or quite at an end; cf. 328. n.

333. **singulis**: *de Or.* I. 2. 8, *cum boni perdiu nulli, vix autem singulis aetatibus singuli tolerabiles oratores invenirentur.*

constitisse: nearly = *exstitisse*, to step forth, *to appear;* but the former has a special use, of *taking one's place; e.g.* of a musician, an actor, an orator; cf. *Tusc.* V. 20. 59, *in communibus suggestibus consistere; Or.* 9. 30, *in forensibus causis praeclare consistere.* Meyer, emphasizing **binos**, makes the word = *una exstare;* for which cf. *de Div.* II. 21. 48; *ad Fam.* X. 34. 3. Ell. suggests still another turn, referring to *de Or.* II. 22. 93, *antiquissimi fere sunt, quorum quidem scripta constent,* where Wilkins renders, 'are recognized (as genuine).'

Gracchi: sc. **fuerunt**; some editors insert *usi sunt.*

nondum: 69. n.

nihil dico amplius: = 'I do not add my own name.'

multis: cf. *turba* and *volgo*, 332.

operosa, *toilful, active;* a pred. adj.

opportunorum: = 'of those who are favorably circumstanced'; (for *opportunus* used of persons, cf. Ter. *Eun.* 1077). The lost apodosis of **si mihi accidisset** might = 'I *could* not then add my own name to this small and glorious list'; *i.e.* if I were merely one of the painstaking crowd who have a fair chance, and come to be enumerated (**numerarer**) among public speakers; cf. 166. Indic. after the second **si**, because there *is* such a pushing crowd. But the sentence is clearly corrupt as well as incomplete, and no conjectural restorations have been satisfactory.

VARIATIONS FROM THE TEXT OF BAITER AND KAYSER.

4.	15.	salutaris,	B. & K. *tuarum* salutaris.
4.	16.	emetiar,	“ remetiar.
5.	21.	potuero,	“ potero.
6.	25.	expromere,	“ exponere.
		sive natura,	“ [sive natura].
8.	30.	tum,	“ [tum].
		in honore magno fuit,	“ [in honore magno fuit].
		docere,	“ *qui* docere.
8.	32.	et perfectus magister,	“ [et perfectus magister].
8.	34.	constricta,	“ constructa.
9.	35.	dicit,	“ dici.
		exstet,	“ esse.
10.	40.	superiorem,	“ [superiorem].
12.	48.	artem . . . negavisse,	“ [artem . . . negavisse].
		autem,	“ [autem].
14.	55.	inclinatum,	“ inclinantem.
15.	57.	et de quo . . . proditum,	“ [et de quo . . . proditum].
15.	59.	eius . . . volt,	“ [eius . . . volt].
15.	61.	mortuus est,	“ mortuus sit.
21.	82.	oratorum,	“ eorum.
22.	86.	ardentior,	“ actuosior.
23.	89.	diebus,	“ [an] diebus.
25.	95.	habitum etiam,	“ habitum.
27.	106.	quibus . . . Carbo,	“ [quibus . . . Carbo].
29.	110.	etiamsi . . . industria,	“ [etiamsi . . . industria].
		fit,	“ fiat.
31.	120.	in ratione,	“ ratiove.
31.	121.	videtur,	“ videatur.
34.	130.	atque etiam,	“ acuto etiam.
		accusationem . . . is,	“ [accusationem . . . is].
35.	134.	audires,	“ *una* audires.
35.	135.	bene loquendi,	“ [bene loquendi].
37.	140.	sed illa,	“ sed *non* illa.
38.	142.	nec ulla,	“ nulla.

38.	143.	argumentorum . . . copia,	B. & K.	[argumentorum . . . copia].
39.	144.	aut excitanda,	"	[aut excitanda].
39.	146.	sit,	"	fuit.
41.	151.	quo . . . doctior,	"	[quo . . . doctior].
43.	158.	exspectabatur, audiebatur,	"	[exspectabatur, audiebatur].
43.	161.	tum,	"	[tum].
44.	162.	defensio[ne iuncta],	"	defensione iuncta.
		si,	"	[si].
45.	167.	tantum exemplorum,	"	[tantum exemplorum].
45.	168.	qui accusavit,	"	*is* qui accusavit.
47.	173.	et maledicto,	"	[et maledicto].
47.	175.	magnus,	"	cognitus.
49.	181.	superioris aetatis,	"	[superioris aetatis].
53.	197.	multis,	"	*est et* multis.
54.	199.	auditori,	"	[auditori].
54.	200.	intellegens,	"	*et* intellegens.
		non adsidens,	"	*et quivis unus de populo* non [adsidens.
57.	207.	*rarius* Cotta,	"	Cotta.
59.	216.	struendo,	"	instruendo.
60.	216.	neque . . . quicquam,	"	[neque . . . quicquam].
60.	218.	ductus est,	"	ducitur.
		disputatioque . . . dialogorum,	"	[disputatioque . . . dialogo-[rum].
61.	220.	a suis aequalibus,	"	[vivis eius aequalibus].
62.	224.	is . . . interfectus,	"	[is . . . interfectus].
62.	225.	quos,	"	quos est.
64.	230.	vigebat,	"	vig*ente flor*ebat.
		octo,	"	*aemulum* octo.
67.	236.	is cum,	"	itaque cum.
67.	237.	saepe,	"	*et* saepe.
70.	245.	cui si vita,	"	qui si vita.
71.	250.	frequentibus *sententiis* et,	"	frequentibus et.
72.	253.	ad te,	"	cum ad te.
74.	259.	accusatore,	"	[accusatore].
75.	261.	tum,	"	[tum].
76.	264.	is cum,	"	et cum.
		et celeritate,	"	[et] celeritate.
77.	267.	sunt etiam,	"	sunt enim.
80.	276.	sive . . . posset,	"	[sive . . . posset].
80.	277.	quod ille,	"	*eum non veri simile dixisse* [quod ille.
		indicia mortis,	"	insidias mortis.
82.	283.	cum esset,	"	fuit cum.
82.	285.	alia *aliis*,	"	alia.
83.	288.	musto ac,	"	[musto ac].
88.	301.	*erant*,	"	*erant et*.
88.	302.	sic,	"	*dicendi* sic.

88.	302.	eorum,	B. & K.	memor et.
90.	311.	*in* reciperanda re publica,	"	[recuperanda re publica].
91.	314.	et periculum,	"	[et] periculum.
		et temperatius dicere,	"	[et temperatius dicere].
92.	317.	quod et dicendi,	"	cui et dicendi.
93.	321.	populi,	"	populi Romani.
95.	325.	faceto,	"	facto.
95.	327.	adulescens,	"	[adulescens]. [*concinnitas.*
		perfecta erat,	"	perfecta erat *sententiarum*
		remiserat,	"	dimiserat.
96.	329.	providit,	"	praevidit.
97.	332.	in volgo patronorum,	"	in volgo [patronorum].
97.	333.	constitisse,	"	exstitisse.

TEXTUAL NOTES.

3. 10. **venerat**: Fleckeisen (Jahrb. 127) would substitute **venit**. There is no parallel use of the plup. in Cicero's dialogues; and a copyist's mistake of *venerat* might have been due to the foregoing **consueverat**.

4. 15. **eam utilitatem**: Mähly (Rh. Mus. 20. 637) thinks a predicate has fallen out, and reads **eam attulit utilitatem**.

4. 16. **exustusque**: W. Friedrich (Jahrb. 107) condemns **exustus** . . . **exaruit** on account of the tautology, and would read **exortusque**.

4. 17. **etsi**: Fleckeisen (Jahrb. 127) would read **et si**, and add as apodosis, **ne tu mihi succenseas oro**.

5. 19. **debetur**: an emendation of Bake, adopted by B. and K. for the old uniform reading **deberetur**.

6. 23. **res**: C. F. W. Müller would read **vis**.

mei: the Mss. have **et** instead of **mei**, after **studioso**. Pid. inserts after **et**, **diligenti dicendi magistro**; Em. Hoffmann (Jahrb. 113), **dicendi et intellegendi magistro**: quoting *Or.* 3. 10, *ille non intellegendi solum, sed etiam dicendi gravissimus auctor et magister;* and *Or.* 5. 17. Orel., Ell., *et al.* put **enim** before **dicere** and read **studioso. et enim dicere**.

7. 26. **a Graecis**: *uncis inclusi cum Meyero illatum putans ex margine; non quod praecedat 'testis est Graecia' . . . sed quod ad eandem Graeciam sermo statim redit verbis 'in quam cum intueor';* Ell.

8. 30. **tum Leontinus**: B. and K. bracket this **tum**, and the words **in honore magno fuit**; which Jahn had omitted. They also insert **qui** before **docere**. But the sentence is made more cumbrous, and is a wide departure from the Ms. tradition.

Ceus: Fleckeisen (Jahrb. 127) has **Cius** and **Elius**, and compares *Hesiodium*, 15.

8. 31. **verbis**: rejected by the best editors; cf. M. Haupt, Philologus II. Marggraff and Fleckeisen favor **acerbius**; Mähly (Rh. Mus. 20. 638) suggests **acerbissime**.

8. 33. **haud**: for the more common reading **quam aut**.

observatione: for **ulla** before this word, cf. Ell., and Fleckeisen in Jahrb. 127, p. 209.

9. 35. **in eis causis, quas scripsit**: W. Friedrich (Jahrb. 121) would bracket these words as a gloss (from **scriptor** above).

dicit: a reading suggested in Jahn for the Mss. **dici**: **exstet** is Stangl's emendation for **esset**. If **dici** and **esset** are retained, we may regard this part of the sentence as a compressed form of stating two ideas; and it may be filled out (following the form of the first part of the sentence) somewhat as follows: *nihil subtiliter*, etc., *dici potuit* [*quod ille non dixerit — immo nihil quod ille ita dixerit*], *ut eo fieri possit aliquid limatius;* the meaning being, If there was an opportunity to say a thing accurately, tersely, lucidly, he never put it in language which could be surpassed in polish.

9. 38. **perfringeret**: another reading is **perstringeret.**

10. 40. **idem**: Fleckeisen (Jahrb. 127) indorses a proposed change to **interdum.** H. A. Koch (Rh. Mus. 16. 485) reads **tam valde ornatus.** W. Friedrich (Jahrb. 121) would insert **gravis aut** before **idem**, and finds a like coupling in *Or.* 7. 22; 9. 29; *de Or.* I. 10. 42; I. 12. 54; I. 18. 81; II. 8. 34.

superiorem: Jahn omits.

12. 46. **quod ... natura**: the Mss. reading (with **controversia natura**) is pronounced corrupt; *e.g.* by Lewis, Harp. Lex.; B. and K. bracket; other editors variously amend, *e.g.* Jahn, **gens, e controversia natam**; Peter, **controversia nata**; Ell. remarks, **gens controversiis nata**, *coniecit Iacobsius eleganter, sed improbatur a Bernhardyo, quod nemo adhuc Siculos natura litigiosos dixerit. At Cicero ita iudicat, quod iudicialis eloquentia apud eos orta dicebatur; nec male illis, qui controversias amant, res deberi dicitur in controversiis iudicialibus utilis.* A. Tittler (Jahrb. 99) suggests, **quod esset acuta illa gens et controversia nata iuris** (*de iure*), **artem**; and he compares *pro Mil.* 9. 23, *controversia nulla facti.*

12. 48. **esse**: unchallenged in most editions.

13. 49. **fetus**: **fontes** is the more common reading; cf. *de Or.* I. 44. 195.

17. 66. **quod ... Demosthenes**: reads like a gloss.

18. 71. **ante hunc**: put by some editors at the end of the third verse of the quotation; by Orel. and Ell. at the beginning of the fourth.

18. 72. **atqui hic**: Schütz, Bernh., Ell., and Orel. read **atque**; **atqui** is defended by M. Haupt (Philol. II.); cf. Pid.

20. 78. **Gallus**: the Mss. agree on this form, but Mommsen (Rh. Mus. 16, p. 355) makes **Galus** the true form.

21. 83. **est fama**: the Mss. reading (retained by Ell. and Orel.) is **est iam**; to this editors have subjoined variously **opinio, sententia**, etc.

22. 86. **ardentior**: one of many conjectural readings for the Mss. **adhortor**; among them **acerbior** (Orel.), **attentior** (Klotz), **uberior** (Marg.), **actuosior** (B. and K.). In favor of the last, we may compare *graviter agendi*, 89; *actuose, de Or.* III. 26. 102; in favor of **ardentior**, *incensus*, 88, followed by *gravitate;* as this word by **gravius**; Ell., Pid., and Jahn read **ardentior.**

23. 90. **nihil recusans**: **nihil** is wanting in the Mss.; and Peter prefers to supply dicere, = 'declining to speak'; cf. *de Off.* III. 27. 100, *sententiam ne diceret recusavit*, and Holden's note.

26. 100. **habita est, optima est**: B. and K.; most editions have **esset**.

28. 107. **occisus est**: B. and K.; *al.* **esset** (cf. 100).

29. 110. **etiamsi,** etc.: B. and K. bracket as far as **industria**; but **quamquam** cannot well point to anything but **probabiles industria.** Jahn brackets only to **essent**; then **tamen** looks back to **laudandi.** Stangl reads **et, vel si.**

29. 112. **lectu**: for Mss. **acta.**

quidem, sed neque tam nostris: Mähly (Rh. Mus. 20. 639) changes to **quidem neque tamen nostris.**

31. 117. **tribunatu**: a reading generally adopted for the Mss. **triumviratu**; '*coni. Sch.; certe probabilius est tribunos iudicio intercessisse, quam cum Bernhardyo triumviros capitales significari putare*'; Ell.

sicut etiam: a somewhat doubtful emendation of the Mss. **sunt etiam.**

is . . . disputando: bracketed by Jahn. W. Friedrich (Jahrb. 107) suggests that the name of another Stoic (not quite **horridus**) may have dropped out, to whom the **is** refers.

31. 120. **id . . . Academia**: bracketed or omitted by most editors as a gloss.

31. 121. **sic aiunt**: the Mss. reading is **sic ut aiunt philosophi,** etc.; '*sic ut corruptum est ex sic aiunt*'; Ell.

34. 129. **luculentus** *accusator*: most of the Mss. (not all, Marg. p. 14) have **luculentus patronus.** For the first word some editions substitute **lutulentus,** others **truculentus**; while most omit **patronus.** If **luculentus** is left to stand alone, it may = bright, lively; cf. the good terms below. Peter justifies **luculentus patronus,** saying, *Oratio igitur luculenta est, in qua lux veritatis, perspicuitatis inest; auctor luculentus, in cuius testimonio eadem illa lux inest: . . . id autem in patrono paullo audacius transferri, facile intellegitur.* Perhaps **patronus** should be retained.

34. 130. **atque etiam**: W. Friedrich (Jahrb. 121) changes *etiam* to **et acri.** B. and K. read **acuto etiam**; Pid., **atque iam.**

35. 132. **nisi quid fieri potest**: Mähly (Rh. Mus. 20. 639) supports the reading **nisi quod fieri potest**; cf. Pid. note.

37. 140. **proprie**: several editors adopt an emendation of Lambinus, **propria.**

38. 142. **conquestionibus**: the Mss. have **questionibus** (not elsewhere found).

38. 143. **ita**: bracketed by B. & K. If it is retained, we may with Pid. supply *ut dicerent.*

42. 153. **quorum similia nulla sunt**: H. A. Koch (Rh. Mus. 16. 485) conjectures **quorum volumina multa sunt.**

44. 162. **defensio**: the Mss. **defensione iuncta** seems corrupt; **defensio-ne** was perhaps written by the copyist under the influence of **Caepione.**

46. 171. **audies tu quidem**: H. A. Koch (Rh. Mus. 16. 485) thinks the **tu** misplaced (cf. **tu . . . intelleges**), and reads **audies ibi quidem**; so Jahn. Weidner and Stangl, **tum quidem.**

47. 175. **sine ulla oratione**: an emendation of Bake for **simili ratione**, which is retained in most editions.

48. 178. **multum erat**: emendations proposed are **multus**, and **multarum**; for **multus**, cf. Sall. *Iug.* 96; and one reading of Tac. *Agr.* 20.

49. 181. **ignoratione**: H. A. Koch (Rh. Mus. 16. 486) 'mit Kayser,' **magna ratione.**

superioris aetatis: Pid. *et al.* transfer these words and read **ignoratione superioris aetatis.**

eorum . . . vidimus: reads like a gloss.

51. 191. **centum milium**: Orel. and Ell. have **omnium. Merito ille et recte**, from ed. pr. The Mss., **omnium me illum et recte.** Various emendations have been proposed. Peter reads **omnium milium**, and cites *ad Att.* II. 5. 1; *pro lege Man.* 5. 11; *de Fin.* II. 31. 102. B. and K. (in our text) adopt an earlier conjecture of Orel., with which the first of Peter's citations better agrees, *Cato ille noster, qui mihi unus est pro centum milibus.*

52. 197. **aut expectaret aut**: bracketed or omitted by some editors as a gloss.

53. 197. **effecisse, hoc illo initio**: most of the Mss. have **hoc in illo initio**, of which Ell. says, *ferri non potest.* His own reading is **hoc ille initio**, of which he says, *hanc meam olim coniecturam firmant ed. pr. et liber Ottobianus.* B. and K. insert **est et** after **consecutus**, and point, **sententiis: delectavit.** Our text follows Orel. *et al.*

54. 199. **auditori probari**: Pid., after Ernesti, **oratori**; another reading is **existimatori** (cf. 200).

54. 200. **avem**: the change to **avis** (Pid.) is unauthorized, and weakens the comparison. F. W. Schmidt (Jahrb. 87) proposes **ut suavi** for **ut avem.**

56. 204. **inquam**: hardly necessary; Orel. and Ell. do not insert.

56. 206. **nec studuit**: before these words Tittler (Jahrb. 99) would insert **esse.**

57. 207. **Cotta**: before this word something seems to have been lost. Orel. and Ell. follow Lambinus in inserting *secundum Philippum et Caesarem*: Eberh. and Stangl insert *rarius.*

expetebantur: another reading is **exspectabantur.**

57. 208. **maximi**: Buttmann's emendation for **maxime** of the **Mss.**; approved by Orel., Ell., B. and K.

58. 213. **inluminatam**: some editors deem this word a corruption of **inligatam**: this may itself, as Ell. supposes, be a gloss; and so B. and K.

bracket. Jahn and Pid. read **innatam**; referring, for the combination with **insitam**, to *Top.* 18. 69; *in Verr.* II. 4. 48. 106. H. A. Koch (Rh. Mus. 16) proposes **inseminatam**.

60. 218. **cum . . . habuisset**: bracketed, the same fact being given a few lines below.

61. 220. **a suis aequalibus**: an emendation in Pid. for the Mss. **vivis eius aequalibus**, which must be regarded as corrupt, and is bracketed by B. and K. Friedrich (Jahrb. 121) thinks **aetatis** has dropped out between **eius** and **aequalibus**. Stangl reads **vivis etiam aequalibus**.

62. 225. **rideatur**: Friedrich (Jahrb. 121) thinks **inrideatur** is demanded.

64. 230. **magis iam etiam vigebat**, etc.: various alterations of the Mss. reading have been proposed. *E.g.* Ell. places the **cum** before **Antonio**, and reads **et Philippo . . . dicente**; Jahn and B. and K. bisect a word, making **vigente florebat Antonio**; Pid. has **ut Philippo . . . dicente,—ita et in eorum**. Tittler (Jahrb. 99) and Friedrich (Jahrb. 107) insert **vivo** before **vigebat Antonio**.

66. 234. **admiranda dignitate valebat**: an emendation of the Mss. **admirando inridebat calebat**, which according to Ell. is a *locus desperatus;* see his note. Many readings have been proposed; Ell. prefers **admirandum in modum calebat**; Pid., **mirum quantum valebat**; one by Friedrich (Jahrb. 107) is **admirando ore valebat**, with a reference to *de Or.* III. 59. 221.

71. 250. **sententiis**: not in the Mss.; it would seem to have been abbreviated, and then to have dropped out; Pid.

72. 253. **pro relicto**: various emendations of the words **hunc . . . habendum** have been proposed. Stangl reads, **huncce facile cotidianum novisse sermonem num pro derelicto est habendum?** Some change is desirable.

74. 260. **C. Hirtuleium**: others **C. Hirtilium**, from Mss. **Chirtilium**; Orel., Ell., *et al.*, **C. Rutilium**.

75. 261. **magnifica et generosa**: some editors prefer **magnificam et generosam**, to conform to Suetonius's version of this passage, *Iul. Caes.* 55, where the adj. go with **rationem**.

77. 268. **fervoris**: the Mss. have **terroris**; cf. 44; but Lentulus was far from being a Pericles.

78. 271. **omittam**: Ell. proposes to supply **praetereundos arbitror**; cf. 273; M. Hertz (Jahrb. 123) would insert **omittam**, but place it after **Romanos**.

79. 273. **quam**: Jahn substitutes **nimiam**; M. Hertz (Jahrb. 123) would read **antiquam**; a few Mss. have **cuius** for **quam eius**.

79. 275. **id ubi esset**: H. A. Koch (Rh. Mus. 16, 486) would change this whole phrase to **acutissime**; cf. *de Fin.* V. 26. 78.

83. 288. **musto**: Ell. says, *fervidum de musto nihil est.* If the word is not struck out, he proposes **musteam ac de lacu fervidam**. Orel. and

Peter make musto ac lacu = *musto quod in lacu est.* Friedrich (Jahrb. 121), making the illustration cover four groups of orators, ((a) *vetere* (*vino*), (b) *quandam aetatem*, (c) *novo*, (d) *de dolio*,) would read in our text, **et novam aut istam quasi de musto**, etc.; and thinks that at the end of 287, after **suavitatem, nec nova** (sc. **aetas**) has fallen out.

88. 302. **eorum**: so Jahn and Pid., after Orel., for the Mss. **memor et.**

89. 304. **utique**: Jahn's emendation for the Mss. **uterque.**

89. 307. **eodem . . . magistro**: reads like a gloss from 312, where Molo's name is introduced as if it were new. Kayser (*Praef.* B. and K., p. xi) refers to it as a manifest interpolation. The interval between the two times, if both accounts are retained, is six years.

91. 315. **fuique**: well inserted by B. and K.; otherwise it would read as if the *oratores* were, like Cicero, on a tour. The context shows that they were at home. Other proposed emendations are more violent; *e.g.* (Jahn) **dum summis studeo oratoribus**; (Pid.) **et summis quidem oratoribus usus sum.** Bake (Mnemosyne 6) more neatly brackets **quibuscum.**

92. 317. **quod**: Jahn and B. and K. read **cui.**

93. 321. **et in his post aedilitatem annis**; these words seem to have crept into the Mss. as a gloss.

95. 325. **faceto**: Jahn and B. and K., **facto,** which Sandys (Introd. to *Or.* p. xxxvi) renders *artificial.*

95. 327. **adulescens**: bracketed by Ell. and B. and K., as inconsistent with the progress of the narration; but cf. Peter's defence, *Proxime enim antecedentibus dixerat, Hortensium ab adulescentibus probatum esse; iam aliud est, adulescentem probari, idque nunc ei dicendum est, quod ad alteram causam, cur in senectute minus probatus sit, pergit, hanc, quia senex idem fuerit atque adulescens.*

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